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Housing Element Appendices

General Plan

City of Beverly Hills, California

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APPENDICES

HOUSING ELEMENT

of the

GENERAL PLAN

City of Beverly Hills

1989-1999

Housing Element

5. APPENDICES.

- 5.1. 1978 Housing Element and Amendments. (Bound separately.)
- 5.2. Progress Toward Implementation of 1978 Housing Element Goals.
- 5.3. Other General Plan Amendments.
- 5.4. 1985 Goals Program Report. (Bound separately.)
- 5.5. 1990 Affordable Housing Committee Report. (Bound separately.)
- 5.6. Summary of Significant State Housing Legislation.
- 5.7. Summary of Federal, State and County Housing Assistance Programs.
- 5.8. Regional Housing Needs Assessment and Comprehensive Housing Affordability Strategy.
- 5.9. 1993-94 Residential Development Fees and Taxes.
- 5.10. Glossary of Terms.

5.2. Progress Toward Implementation of 1978 Housing Element Goals.

Since the adoption of the 1978 Housing Element, many of the activities and study items have been achieved or initiated and some have been reconsidered or have not yet been initiated; they are summarized here by policy objective as they appear in the 1978 Housing Element. Many of the programs undertaken have been designed to meet as wide a variety of needs as possible. The Goals, Objectives and Programs section of the 1994 updated Housing Element contains many proposals which represent a continuation of these efforts.

Objective I. Maintain existing housing stock, preserve residential stability.

1. Action Items.

- a. Park/open space dedication requirement (or fees in-lieu thereof) for new development, condominium conversions or redevelopment.

In-lieu fees in the form of a park and recreation tax on new residential and commercial development were adopted in 1978. The fee in Fiscal Year 1994-95 is \$4.80 per square foot and the proceeds are earmarked for the specific purpose of parkland acquisition and recreation development.

- b. Develop program of specialized improvements for areas susceptible to obsolescence or deterioration.

The Housing Program proposed undergrounding of utilities and specialized parking programs to achieve this goal. While no utility or parking programs have been undertaken specifically in response to the susceptibility of residential neighborhoods to obsolescence or deterioration, there exists an ongoing program of undergrounding of electrical lines which has identified those remaining residential streets with overhead utility lines for inclusion in this program. In addition, three programs undertaken since 1978, the permit parking, Handyman and Traffic Management programs, have acted to improve and stabilize the older, multifamily areas of the City. (Permit parking, however, should be viewed as symptomatic of the need to add parking, or to relieve the pressure which creates the demand for parking in these areas. As such, permit parking is generally an interim solution.) Code

revisions adopted in 1981 require commercial setbacks where residential property abuts commercial property, to improve the transition between residential areas and new commercial development.

1. c. Development of Industrial Area as a unit for its residential, recreational and economic potential.

Subsequent to the adoption of the 1978 Element, policy discussions continued and culminated in the 1994 amendment establishing the C-5 and P-S zones in this area. Housing is not a permitted use in these zones.

- d. Pursue transit improvements to help mitigate traffic congestion in transition areas and to increase accessibility of some areas for transit-dependent residents.

The City's program of public parking structure construction in the Business Triangle (almost 2,000 additional spaces added in three public structures since 1978) is designed to increase the supply of both shopper and long-term employee parking and to reduce the parking demand on residential streets adjacent to commercial areas. In addition, the free shuttle bus, initiated on a full time basis in 1982 which tours the Business Triangle, stopping at parking structures, further encourages shoppers and employees to utilize off-street parking. In 1976 a bus (equipped with a wheelchair lift) began touring the City on a fixed route and on a destination-specific, advance reservation basis to serve the City's transit-dependent seniors and handicapped persons. In 1979 taxicab discounts for low or handicapped persons became available.

2. Study Items.

- a. Ongoing evaluation of need for a housing maintenance code and rehabilitation program for multifamily residential areas aimed at safe, decent and sanitary housing.

The need for a full scale inspection-type program such as Pasadena's occupancy inspection program has been discussed on various occasions and determined to be inappropriate for Beverly

Hills. Since the 1978 Element was adopted, however, the City's Rent Stabilization Office was established which, in addition to administering the City's Rent Stabilization ordinance, investigated tenant complaints regarding maintenance of multifamily structures. In addition, in 1983, the B.H.M.C. Chapter 5 of Title 5 was amended to establish Citywide maintenance standards and abatement procedures.

2. b. Evaluate need and feasibility of establishing a local rehabilitation loan program including, possible use of State or federal funds.

Although the need for a full scale rehabilitation loan program for low and moderate income homeowners has not been specifically studied, a Handyman Program was begun in 1984. The program provides free labor and materials for minor repairs, security and handicap improvements.

- c. Study of traffic management programs in areas such as transition areas (commercial, residential, City borders).

Traffic management techniques and improvements were studied and implementation methods were formulated as the Traffic Management Plan for the area from Wilshire to the southerly city limits. Phase I (west of Beverly Drive, featuring turn restrictions along Wilshire Bl.) was implemented in 1981 and Phase II (east of Beverly Drive, and all of Olympic Boulevard) is currently being refined prior to implementation. The Plan involves improvements designed to improve the flow of traffic on major streets, reduce through traffic on residential streets and improve pedestrian safety.

Objective II. Meet special housing needs.

1. Action Items.

- a. Provide for higher densities under specific conditions such as senior housing or planned unit developments in central areas of the City to meet specialized needs.

In order to help reduce development costs to make such housing affordable for target groups, the B.H.M.C. was amended in 1979 (Ordinance No. 79-0-1751) to provide for higher densities, greater height, smaller unit sizes and smaller numbers of required parking spaces for any multifamily structure reserved for low income seniors (or handicapped persons) which receives a conditional use permit from the Planning Commission. Such structures are required to be located near transportation, medical, shopping and recreational services. To date, 150 units in one structure have received approval under the Code provision. The Code was revised in 1987 pursuant to State law to permit a density bonus to developers who set aside the required percentage of units for lower income households. The Code was also revised in 1987 to permit reduced unit sizes, open space and parking for congregate-type elderly housing (market rate).

1. b. Explore offering incentives to developers to set aside a portion of units for the low income elderly in a new development.

To date, a set-aside program specifically for the elderly of low income has not been developed, however, the City operates under the State law which requires provision of density bonuses (Sec. II.1.a.)
- c. City initiative to secure subsidies for construction of rental housing for low and moderate income elderly residents.

At the City's initiative, a joint venture between a nonprofit housing developer (Menorah Housing) and the City was undertaken to secure federal Section 202 funds and CDBG funds to construct 150 units of a housing for very low income seniors as part of a mixed use development which also included public parking and a market. The City contributed the site, known as Site "A" South.
- d. Continuation of present program of rental assistance.

The City continues to participate in HUD's Section 8 Existing program which is administered by the County Housing Authority, and which pays the landlord the difference between what a low income tenant can afford (defined as 30 percent of income) and what the unit will rent for on the open market (subject to limits established by HUD). However, the low maximum allowable rents, funding reductions, redefinition of the allocation formula and

increasing numbers of applicants throughout the County have all contributed to the reduction of the numbers of assisted units in the City from the 40-50 originally assisted to 8 in 1993. Upon completion of the Site "A" South Senior Housing project in 1987, however, 150 additional Section 8 certificates were provided as part of the federal development grant to the low income, elderly residents of that project, thereby dramatically increasing the numbers of assisted households in the City.

1. e. Consideration of including female heads of families as a target group.

Although female headed families of low or moderate income have always been identified as a group in need in the community, strategies to assist this group since 1978 have not extended to housing, but rather to activities such as use of federal Block Grant monies on partial funding of the La Cienega Day Care/Community Center where low income parents were given a discount and priority for available spaces in the Day Care program.

- f. Expansion of present rental assistance in connection with voluntary set-asides in new projects to meet specialized needs of identified segments of the population.

This program has not been developed. (See discussion of Section 8 in II.1.d.)

- g. Request HUD to raise Section 8 rental limits for area to more realistic levels.

Although the City has not specifically requested HUD to do so, the Section 8 existing rental limits are raised periodically by HUD, however, the current rental limits (\$683 for a one-bedroom apartment) are still approximately \$300 below the market rates in the area.

- h. Explore development of a housing counseling program for elderly residents including landlord-tenant relations, property tax

Housing Element Appendices

counseling, etc., through private sector or public agencies other than the City.

Since adoption of the Housing Element, the City's Rent Stabilization office was established and provides a forum and avenue of grievance redress for landlord-tenant relations. Also, a federal Block Grant-funded program of services such as location of affordable housing, roommate matching and other services was implemented. The City's Senior Information and Referral Service at the Roxbury Senior Center provides referrals for low cost services.

1. i. Maintain and expand support services for the elderly, such as transit to increase ability of elderly to remain in City.

A "senior bus" which operates on a fixed route or destination-specific, advance reservation basis was initiated in 1976, and, as described in 1.g., a limited program of general services for seniors has been developed and implemented.

-
- j. Maintain and expand existing day care program to facilitate ability of lower income single parents to remain in the City.

With the completion in 1981 of the La Cienega Day Care/Community Center, the City's 90-day child care program, which was operating in cramped quarters and in areas used extensively by seniors, was moved from Roxbury Park to new expanded facilities which can serve up to 120 children.

2. Study Items.

- a. Monitor conversion of rental housing to condominiums for adverse impacts on rental housing stock.

It was determined that affordable rental housing stock was being both converted and demolished at such an accelerated rate that an ordinance was adopted in 1979 (initially as an urgency moratorium on demolitions/conversions) to restrict the rate at which demolitions and conversions could occur, in order not to deplete the rental housing stock. The number of annual demolitions/

conversions cannot exceed 83 units, or approximately one percent of the rental housing stock. The purpose was to slow down the rate of demolitions/conversion while permitting turnover of obsolescent and aging stock. In recent years the 83 unit limit has not been reached. (The ordinance was made permanent in 1982.) Due to the slowdown in development a cumulative demolition/conversion limit of over 700 units now exists.

2. b. Study feasibility of acquisition of land for housing sites to meet special housing needs.

The City has progressed well beyond examination of the feasibility of acquisition for senior housing. Each year since 1979 the City set aside a substantial portion of its federal Block Grant funds for other eligible activities such as site preparation, in support of such housing. (It was acknowledged that due to the price of land in the City, that it was unlikely that sufficient funds could be accumulated to offset the full cost of purchase of a market rate property.) In 1978 the City retained a consultant to examine the feasibility of providing affordable rental housing for low income seniors, including identification and evaluation of potential sites and a survey of various assistance programs. One of these sites (a City-owned parking lot) was eventually selected and a consultant team was retained to provide a feasibility study on a combined elderly housing service commercial and public parking structure. A nonprofit developer was selected to obtain a federally funded construction loan for the housing portion of the project (150 units) which was completed in 1987 and which is located on the southwest corner of Dayton Way and N. Crescent Drive.

- c. Study feasibility of locally sponsored incentive program based on fee reductions or exemptions for locally identified housing needs.

Although the feasibility of such a program has not been developed, certain fees which would have been charged to a housing developer were waived during the review process for the Site "A" South Senior Housing project. Additionally, reduction or exemption of fees represents one method of providing incentives, as required by State law (as an alternative to density bonuses) to developers who

set aside a percentage of new rental units for low income households.

Objective III. Maintain scale of City.

1. Action Items.

- a. Maintain overall density limits, subject to modifications to meet specific program needs of specific areas of the City, to provide for directed revitalization.

The density limits in multifamily areas have been maintained although these limits were modified in 1979 to allow for increased densities for development of low income elderly housing projects.

- b. Increase limited potential for additional housing by encouraging private redevelopment to revitalize certain areas of the City, such as the Industrial Area, via rezoning, to achieve environments compatible with residential uses and existing scale.

Since adoption of the Housing Element a comprehensive analysis of the Industrial Area resulted in a revised plan for the area which did not include residential use.

- c. Monitor municipal improvements to assure good design and appropriate scale.

Although not required by Code, the City's Architectural Commission has been involved in the review process for developments undertaken by the City.

2. Study Items.

Study procedures to establish design criteria and review procedures and encourage quality design and amenities in zones allowing multifamily residential use which will preserve the scale of the City.

At a joint Planning Commission/Architectural Commission meeting in January, 1982, multifamily residential structure design was discussed (setbacks, courtyards, balconies, assembled lots, etc.) during the time

that the "R-4 Heights" ordinance (Phase I of the review of multifamily residential standards) was under review. The consensus was to encourage a gardenlike setting and preserve the quality of life. It was subsequently suggested that Phase II (fine tuning of height limits, development of design alternatives, etc.) should be combined with Phase III (development of incentives to meet specific housing needs), which has been proposed for inclusion in the Five-Year Program of the updated Element. (Phase I was adoption of the basic ordinance which generally reduced the maximum allowable multifamily structure height to the height of existing development.)

aahe5.2

5.3 Other General Plan Amendments.

The following revisions to the Land Use Element of the General Plan were required to insure consistency with the 1989-1999 update to the Housing Element.

In the Land Use Element Abstract, amend item No. 1 and add No. 6 under the heading "The Element proposes the following" to read as follows:

"1. Residential areas should remain similar in character to those which now exist. The City should consider allowing "somewhat higher" densities for housing to serve specialized needs such as those for the elderly, young households, households with children and single parent households."

"6. Study feasibility of developing standards for mixed commercial/residential to expand the variety of housing types available."

Amend the first paragraph of Section 1.2. to read as follows:

"Areas of additional development potential.

There is a substantial amount of area zoned for R-4 which is now of relatively low density and which has the potential to be developed to ~~substantially~~ greater densities under existing code. It is ~~conservatively~~ estimated that the potential net additional dwelling units which can be added is ~~upward of 1,500~~ approximately 900 units. Each of these areas must be developed in an orderly manner."

Amend to read as follows:

"2.1. Residential Areas.

It is proposed that the existing range of intensity of residential development be maintained, thereby permitting an estimated additional ~~1,500~~ 900 multiple family dwelling units, which would represent an increase of approximately ~~16~~ six percent in the number of existing multiple family units. Analysis should be undertaken to determine the feasibility of limited rezoning of selected single family zoned areas to low density, "townhouse"

"It is also recommended that the City explore the need for, and the advisability of permitting somewhat higher residential densities in multiple family areas to facilitate the provision of housing to serve the specialized needs of such groups as the elderly, young households, households with children and single parent households, consistent with the policies of the Housing Element and State Density Bonus law."

Add to the end of Section 2.2.:

"The feasibility of allowing mixed commercial/residential uses should be analyzed in order to expand the variety of housing types available and in certain areas, to improve commercial/residential transitions."

Add an additional bullet to Section 3.:

" . Explore feasibility of mixed commercial/residential uses."

aahe5.3

5.6. Summary of Significant State Housing Legislation.

- Government Code Section 65583 et seq identifies the required content of a Housing Element and is included herein along with related sections.
- The 1990 General Plan Guidelines are advisory to local governments and although the text of the actual Government Code Sections has been revised since 1990, the text of the commentary is the latest version. That portion of the Guidelines pertaining to the Housing Element is included.
- Article XXXIV of the California Constitution provides that tax-supported low income housing projects must be subject to a referendum vote of the electorate, with certain exceptions.

West's
ANNOTATED
CALIFORNIA CODES



GOVERNMENT CODE
Sections 56000 to 65799

Volume 36B

1994
Cumulative Pocket Part

Replacing 1993 Pocket Part in back of volume

Includes laws through the 1993 Portion of the
1993-1994 Regular and First Extraordinary Sessions
and the November 2, 1993, Election

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ARTICLE 10.6

HOUSING ELEMENTS

Section		Section	
65583.1.	Housing element; identification sites.	65589.6.	Burden of proof; conformance to conditions in § 65589.5.
65584.3.	Los Angeles county; cities without residentially zoned lands; adoption of housing element; transfer of tax increment funds for low- and moderate-income housing; use of funds.	65589.7.	Delivery of housing element to special district or private entity providing water or sewer services; priority for services.
65588.1.	Planning period extension.	65589.8.	Fixed percentage of affordable housing units; satisfaction of requirement by construction of rental housing at affordable monthly rents.
65588.5.	Repealed.		
65589.3.	Rebuttable presumption of validity of element or amendment in action to challenge housing element.		

Cross References

Community development block grant program funds, compliance with this article as condition to receiving funds, see Health and Safety Code §§ 50829, 50830.

Mather Air Force Base Redevelopment Project Area, special requirements, see Health and Safety Code, § 33492.61.

Law Review Commentaries

Marina Point, Ltd. v. Wolfson: Discrimination in rental housing against families with children. (1983) 71 C.L.R. 1324.

§ 65580. Legislative finding and declaration

Law Review Commentaries

Municipal low-income housing controls: an intrusive special interest abuse of police power. Peter E. Mills-paugh (1986) 17 Pacific L.J. 349.

Notes of Decisions

Water 1

1. Water

Municipal water district had no affirmative duty under Government Code to provide water for new housing construction when there was water shortage in area, despite

Government Code section declaring that housing availability was of vital statewide importance and provision of affordable housing required cooperation of all levels of government; that statute was a general statement of public policy and not a directive to any agency. Building Industry Ass'n of Northern California v. Marin Mun. Water Dist. (App. 1 Dist.1991) 1 Cal.Rptr.2d 625, 235 Cal.App.3d 1641, review denied.

§ 65581. Intent of legislature

Notes of Decisions

In general 1

1. In general

County guidelines, by encouraging urban development only within cities to assure efficient and effective delivery of full range of municipal services, substantially advance goals of government code provisions for conservation of open space. Long Beach Equities, Inc. v. County of Ventura (App. 2 Dist.1991) 282 Cal.Rptr. 877, 231 Cal.

App.3d 1016, rehearing denied and modified, review denied.

Government code provisions promoting development of residential housing do not encourage such development when it fails to conserve needed open space and contributes to urban sprawl. Long Beach Equities, Inc. v. County of Ventura (App. 2 Dist.1991) 282 Cal.Rptr. 877, 231 Cal.App.3d 1016, rehearing denied and modified, review denied.

§ 65582. Definitions

As used in this article:

(a) "Community," "locality," "local government," or "jurisdiction" means a city, city and county, or county.

Additions or changes indicated by underline; deletions by asterisks * * *

(b) "Council of governments" means a single or multicounty council created by a joint powers agreement pursuant to Chapter 5 (commencing with Section 6500) of Division 1 of Title 1.

(c) "Department" means the Department of Housing and Community Development.

(d) "Housing element" or "element" means the housing element of the community's general plan, as required pursuant to this article and subdivision (c) of Section 65302.

(e) "Low- and moderate-income households" means persons and families of low or moderate incomes as defined by Section 50093 of the Health and Safety Code.

(Amended by Stats.1989, c. 1140, § 1; Stats.1990, c. 1441 (S.B.2274), § 3.)

§ 65583. Contents of housing element

The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, and mobilehomes, and shall make adequate provision for the existing and projected needs of all economic segments of the community. The element shall contain all of the following:

(a) An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. The assessment and inventory shall include the following:

(1) An analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected housing needs for all income levels. These existing and projected needs shall include the locality's share of the regional housing need in accordance with Section 65554.

(2) An analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition.

(3) An inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites.

(4) An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65554.

(5) An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, and the cost of construction.

(6) An analysis of any special housing needs, such as those of the handicapped, elderly, large families, farmworkers, families with female heads of households, and families and persons in need of emergency shelter.

(7) An analysis of opportunities for energy conservation with respect to residential development.

(8) An analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use. "Assisted housing developments," for the purpose of this section, shall mean multifamily rental housing that receives governmental assistance under federal programs listed in subdivision (a) of Section 65863.10, state and local multifamily revenue bond programs, local redevelopment programs, the federal Community Development Block Grant Program, or local in-lieu fees. "Assisted housing developments" shall also include multifamily rental units that were developed pursuant to a local inclusionary housing program or used to qualify for a density bonus pursuant to Section 65916.

(A) The analysis shall include a listing of each development by project name and address, the type of governmental assistance received, the earliest possible date of change from low-income use and the total number of elderly and nonelderly units that could be lost from the locality's low-income housing stock in each year during the 10-year period. For purposes of state and federally funded projects, the analysis required by this subparagraph need only contain information available on a statewide basis.

(B) The analysis shall estimate the total cost of producing new rental housing that is comparable in size and rent levels, to replace the units that could change from low-income use, and an estimated cost of preserving the assisted housing developments. This cost analysis for replacement housing may be done aggregately for each five-year period and does not have to contain a project by project cost estimate.

Additions or changes indicated by underline; deletions by asterisks * * *

(C) The analysis shall identify public and private nonprofit corporations known to the local government which have legal and managerial capacity to acquire and manage these housing developments.

(D) The analysis shall identify and consider the use of all federal, state, and local financing and subsidy programs which can be used to preserve, for lower income households, the assisted housing developments, identified in this paragraph, including, but not limited to, federal Community Development Block Grant Program funds, tax increment funds received by a redevelopment agency of the community, and administrative fees received by a housing authority operating within the community. In considering the use of these financing and subsidy programs, the analysis shall identify the amounts of funds under each available program which have not been legally obligated for other purposes and which could be available for use in preserving assisted housing developments.

(b) (1) A statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing.

(2) It is recognized that the total housing needs identified pursuant to subdivision (a) may exceed available resources and the community's ability to satisfy this need within the content of the general plan requirements outlined in Article 5 (commencing with Section 65300). Under these circumstances, the quantified objectives need not be identical to the total housing needs. The quantified objectives shall establish the maximum number of housing units by income category that can be constructed, rehabilitated, and conserved over a five-year time period.

(c) A program which sets forth a five-year schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available and the utilization of moneys in a Low and Moderate Income Housing Fund of an agency if the locality has established a redevelopment project area pursuant to the Community Redevelopment Law (Division 24 (commencing with Section 33000) of the Health and Safety Code). In order to make adequate provision for the housing needs of all economic segments of the community, the program shall do all of the following:

(1) Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, emergency shelters, and transitional housing in order to meet the community's housing goals as identified in subdivision (b). Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low and low-income households. For purposes of this paragraph, the phrase "use by right" shall mean the use does not require a conditional use permit, except when the proposed project is a mixed-use project involving both commercial and residential uses. Use by right for all rental multifamily residential housing shall be provided in accordance with subdivision (f) of Section 65589.5.

(2) Assist in the development of adequate housing to meet the needs of low- and moderate-income households.

(3) Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing.

(4) Conserve and improve the condition of the existing affordable housing stock, which may include addressing ways to mitigate the loss of dwelling units demolished by public or private action.

(5) Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, or color.

(6) (A) Preserve for lower income households the assisted housing developments identified pursuant to paragraph (8) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (8) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance.

(B) The program shall include an identification of the agencies and officials responsible for the implementation of the various actions and the means by which consistency will be achieved with other general plan elements and community goals. The local government shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort.

Additions or changes indicated by underline; deletions by asterisks * * *

(d) The analysis and program for preserving assisted housing developments required by the amendments to this section enacted by the Statutes of 1989 shall be adopted as an amendment to the housing element by July 1, 1992.

(e) Failure of the department to review and report its findings pursuant to Section 65585 to the local government between July 1, 1992, and the next periodic review and revision required by Section 65588, concerning the housing element amendment required by the amendments to this section by the Statutes of 1989, shall not be used as a basis for allocation or denial of any housing assistance administered pursuant to Part 2 (commencing with Section 50400) of Division 31 of the Health and Safety Code. (Amended by Stats.1984, c. 1691, § 3, eff. Sept. 30, 1984; Stats.1986, c. 1383, § 2; Stats.1989, c. 1140, § 2; Stats.1989, c. 1451, § 1.5; Stats.1991, c. 730 (A.B.1929), § 1; Stats.1991, c. 889 (S.B.1019), § 2; Stats. 1992, c. 1030 (S.B.1807), § 2.)

Application

For application of additional requirements and duties created by Stats.1991, c. 889, § 2, see Historical and Statutory Notes, post

Historical and Statutory Notes

1984 Amendment.

Legislative findings and declarations of Stats.1984, c. 1691, see note under § 65008.

1986 Legislation

Sections 1 and 3 of Stats.1986, c. 1383, provide:

"Section 1. The Legislature finds and declares that there exists in the state a severe crisis caused by the lack of any available shelter for a significant segment of California's population. The 'homeless' are estimated to number as many as 100,000, and are composed largely of veterans, women, families with children, the mentally ill, and unemployed adults.

"The crisis of homelessness has many causes, which include a severe shortage of low-cost housing, unemployment, the absence of an adequate support system for the mentally ill, and the failure to properly administer and carry out the intent of public assistance programs.

"The Legislature finds and declares that this act will assist in addressing the profound problems encountered by homeless persons."

"Sec. 3. The amendments to paragraph (1) of subdivision (c) of Section 65583 of the Government Code made by the act adding this section during the 1986 Regular Session of the Legislature shall require an identification of sites for emergency shelters and transitional housing by January 1, 1988, or by the next periodic review of a housing element pursuant to Section 65583 of the Government Code, whichever is later, in order to give local

governments adequate time to plan for, and to assist in the development of, housing for homeless persons, if it is determined that there is a need for emergency shelter pursuant to paragraph (6) of subdivision (a) of Section 65583 of the Government Code."

1989 Legislation

Under the provisions of § 4 of Stats.1989, c. 1451, the 1989 amendments of this section by c. 1140 and c. 1451 were given effect and incorporated in the form set forth in § 1.5 of c. 1451. An amendment of this section by § 1 of Stats.1989, c. 1451, failed to become operative under the provisions of § 4 of that Act.

Amendment of this section by § 2.5 of Stats.1989, c. 1140, failed to become operative under the provisions of § 12 of that Act.

1991 Legislation

Under the provisions of § 6 of Stats.1991, c. 889, the 1991 amendments of this section by c. 730 and c. 889 were given effect and incorporated in the form set forth in § 2 of c. 889. An amendment of this section by § 1 of Stats.1991, c. 889, failed to become operative under the provisions of § 6 of that Act.

Stats.1991, c. 889 (S.B.1019), § 5 provides:

"The additional requirements and duties created by Sections 1, 2, and 4 of this act shall be applicable upon the next amendment or periodic review of the housing element by the legislative body."

Law Review Commentaries

Growth control by the ballot box: California's experience. Daniel J. Curtin, Jr. and M. Thomas Jacobson, 24 Loy.L.A.L.Rev. 1073 (1991).

Planning and dealing: Piecemeal land controls as a problem of local legitimacy. Carol M. Rose (1983) 71 C.L.R. 839.

WESTLAW Electronic Research

See WESTLAW Electronic Research Guide following the Preface.

Notes of Decisions

Agency identification, program components 7
Conservation of affordable housing, program components 6
Low-income housing, program components 5
Program components 3 to 8
Agency identification 7

Conservation of affordable housing 6
Low-income housing 5
Public participation 8
Schedule of actions 3
Site identification 4

Additions or changes indicated by underline; deletions by asterisks * * *

Public participation, program components 8
 Quantified objectives 2
 Site identification, program components 4
 Validity ½

½. Validity

Statute [West's Ann.Cal.Gov.Code § 65583(c)] requiring city to adopt program setting forth five-year schedule of actions city is undertaking or intends to undertake to implement policies and achieve goals and objectives of housing element through administration of land use and development controls, provision of regulatory concessions and incentives, and utilization of appropriate federal and state financing and subsidy programs when available does not impermissibly intrude into matters traditionally reserved to cities, given that need for housing is statewide concern. *Buena Vista Gardens Apartments Ass'n v. City of San Diego Planning Dept.* (Woodcrest Development, Inc.) (App. 4 Dist.1985) 220 Cal.Rptr. 732, 175 C.A.2d 289.

1. In general

City's residential growth control ordinance was to be read and implemented in conjunction with existing housing policies, and in view of goals and objectives of the ordinance, the ordinance did not, apart from imposing numerical limitations and precluding consideration of certain nonqualifying projects, otherwise restrict council's substantive discretion in awarding allotments from a final list, and council was not precluded from considering factors additional to those listed in the ordinance. *Pacific Corp. v. City of Camarillo* (App. 2 Dist.1983) 196 Cal.Rptr. 670, 149 C.A.3d 168.

2. Quantified objectives

City's housing element was in substantial compliance with requirements of statute [West's Ann.Cal.Gov.Code § 65583(b)] that housing element shall consist of identification and analysis of existing and projected housing needs and statements of goals, policies, quantified objectives and scheduled programs for preservation, improvement and development of housing, even though city did not make quantifications in its programs as recommended by Department of Housing and Community Development, in that Department's recommendations are advisory. *Buena Vista Gardens Apartments Ass'n v. City of San Diego Planning Dept.* (Woodcrest Development, Inc.) (App. 4 Dist.1985) 220 Cal.Rptr. 732, 175 C.A.3d 289.

3. Program components—Schedule of actions

City's housing element was in substantial compliance with requirement of statute [West's Ann.Cal.Gov.Code § 65583(c)] that element contain program which sets forth five-year schedule of actions local government is undertaking or intends to undertake to implement policies and achieve goals and objectives of housing element even though city used term "continuing," rather than setting forth specific five-year schedule of actions. *Buena Vista Gardens Apartments Ass'n v. City of San Diego Planning Dept.* (Woodcrest Development, Inc.) (App. 4 Dist.1985) 220 Cal.Rptr. 732, 175 C.A.3d 289.

§ 65583.1. Housing element; identification of sites

The Department of Housing and Community Development, in evaluating a proposed or adopted housing element for consistency with state law, may allow a local government to identify adequate sites, as required pursuant to Section 65583, by a variety of methods, including, but not limited to, redesignation of property to a more intense land use category and increasing the density allowed within one or more categories. Nothing in this section reduces a local government's responsibility to identify, by income category, the total number of sites for residential development as required * * * by this article. (Added by Stats.1992, c. 1074 (A.B.2707), § 1. Amended by Stats.1993, c. 589 (A.B.2211), § 79.)

Additions or changes indicated by underline; deletions by asterisks * * *

4. — Site identification, program components

City's housing element was in substantial compliance with requirement of statute [West's Ann.Cal.Gov.Code § 65583(c)(1)] that city identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage development of variety of types of housing for all income levels, even though housing element did not provide specific sites for mobile homes, rental housing or factory-built housing. *Buena Vista Gardens Apartments Ass'n v. City of San Diego Planning Dept.* (Woodcrest Development, Inc.) (App. 4 Dist.1985) 220 Cal.Rptr. 732, 175 C.A.3d 289.

5. — Low-income housing, program components

City's housing element was in substantial compliance with requirement of statute [West's Ann.Cal.Gov.Code § 65583(c)(2)] that program assist in development of adequate housing to meet needs of low- and moderate-income households, even if city could improve that aspect by including more detail and adopting other programs. *Buena Vista Gardens Apartments Ass'n v. City of San Diego Planning Dept.* (Woodcrest Development, Inc.) (App. 4 Dist.1985) 220 Cal.Rptr. 732, 175 C.A.3d 289.

6. — Conservation of affordable housing, program components

City's housing element was not in substantial compliance with requirement of statute [West's Ann.Cal.Gov.Code § 65583(c)(4)] that program conserve and improve condition of existing affordable housing stock, particularly its affordable rental stock, where there were no programs directed to how city would "encourage" conservation of mobile home parks or would conserve existing affordable apartment rental stock. *Buena Vista Gardens Apartments Ass'n v. City of San Diego Planning Dept.* (Woodcrest Development, Inc.) (App. 4 Dist.1985) 220 Cal.Rptr. 732, 175 C.A.3d 289.

7. — Agency identification, program components

City's housing element was in substantial compliance with requirement of statute [West's Ann.Cal.Gov.Code § 65583(c)] that program include identification of agencies and officials responsible for implementation of various actions where city listed general entity or official responsible for implementation. *Buena Vista Gardens Apartments Ass'n v. City of San Diego Planning Dept.* (Woodcrest Development, Inc.) (App. 4 Dist.1985) 220 Cal.Rptr. 732, 175 C.A.3d 289.

8. — Public participation, program components

City's housing element was in substantial compliance with requirement of statute [West's Ann.Cal.Gov.Code § 65583(c)] that local government make diligent effort to achieve public participation of all economic segments of community development of housing element and program shall describe effort, even though element failed to include any description of city's effort to include public participation, where there was ample public participation in development of housing element. *Buena Vista Gardens Apartments Ass'n v. City of San Diego Planning Dept.* (Woodcrest Development, Inc.) (App. 4 Dist.1985) 220 Cal.Rptr. 732, 175 C.A.3d 289.

§ 65584. Share of city or county of regional housing needs; determination and distribution;
revision

(a) For purposes of subdivision (a) of Section 65583, * * * the share of a city or county of the regional housing needs includes that share of the housing need of persons at all income levels within the area significantly affected by a * * * general plan of the city or county. The distribution of regional housing needs shall, based upon available data * * * take into consideration market demand for housing, employment opportunities, the availability of suitable sites and public facilities, commuting patterns, type and tenure of housing need, the loss of units contained in assisted housing developments, as defined in paragraph (8) of subdivision (a) of Section 65583, that changed to non-low-income use through mortgage prepayment, subsidy contract expirations, or termination of use restrictions, and the housing needs of farmworkers. The distribution shall seek to * * * reduce the concentration of lower income households in cities or counties which already have disproportionately high proportions of lower income households. Based upon data provided by the Department of Finance, in consultation with each council of government, the Department of Housing and Community Development shall determine the regional share of the statewide housing need at least two years prior to the second revision, and all subsequent revisions as required pursuant to Section 65588. Based upon data provided by the department relative to the statewide need for housing, each council of governments shall determine the existing and projected housing need for its region. Within 30 days following notification of this determination, the department shall ensure that this determination is consistent with the statewide housing need * * *. The department may revise the determination of the council of governments if necessary to obtain this consistency. * * * The appropriate council of governments shall determine the share for each city or county consistent with the criteria * * * of this subdivision and with the advice of the department subject to the procedure established pursuant to subdivision (c) at least one year prior to the second revision, and at five-year intervals following the second revision pursuant to Section 65588. The council of governments shall submit to the department information regarding the assumptions and methodology to be used in allocating the regional housing need. As part of the allocation of the regional housing need, the council of governments, or the department pursuant to subdivision (b), shall provide each city and county with data describing the assumptions and methodology used in calculating its share of the regional housing need. The department shall submit to each council of governments information regarding the assumptions and methodology to be used in allocating the regional share of the statewide housing need. As part of its determination of the regional share of the statewide housing need, the department shall provide each council of governments with data describing the assumptions and methodology used in calculating its share of the statewide housing need. The councils of governments shall provide each city and county with the department's information.

(b) For areas with no council of governments, the department shall determine housing market areas and define the regional housing need for * * * cities and counties within these areas pursuant to the provisions for the distribution of regional housing needs in subdivision (a). Where the department determines that a * * * city or county possesses the capability and resources and has agreed to accept the responsibility, with respect to its jurisdiction, for the identification and determination of housing market areas and regional housing needs, the department shall delegate this responsibility to the * * * cities and counties within these areas.

(c) (1) Within 90 days following a determination of a council of governments pursuant to subdivision (a), or the department's determination pursuant to subdivision (b), a * * * city or county may propose to revise the determination of its share of the regional housing need in accordance with the considerations set forth in subdivision (a). The proposed revised share shall be based upon available data and accepted planning methodology, and supported by adequate documentation.

(2) Within 60 days after the time period for the * * * revision by the city or county, the council of governments or the department, as the case may be, shall accept the proposed revision, modify its earlier determination, or * * * indicate, based upon available data and accepted planning methodology, why the proposed revision is inconsistent with the regional housing need.

(A) If the council of governments or the department, as the case may be, does not accept the proposed revision, then the city or county shall have the right to request a public hearing to review the determination within 30 days.

(B) The city or county shall be notified within 30 days by certified mail, return receipt requested, of at least one public hearing regarding the determination.

(C) The date of the hearing shall be at least 30 days from the date of the notification.

(D) Before making its final determination, the council of governments or the department, as the case may be, shall consider comments, recommendations, available data, accepted planning methodology, and local geological and topographic restraints on the production of housing.

Additions or changes indicated by underline; deletions by asterisks * * *

(3) If the council of governments or the department accepts the proposed revision or modifies its earlier determination, the city or county shall use that share. If the council of governments or the department grant a revised allocation pursuant to paragraph (1), the council of governments or the department shall ensure that the current total housing need is maintained. If the council of governments or department indicates that the proposed revision is inconsistent with the regional housing need, the city or county shall use the share which was originally determined by the council of governments or the department.

(4) The determination of the council of governments or the department, as the case may be, shall be subject to judicial review pursuant to Section 1094.5 of the Code of Civil Procedure.

(5) The council of governments or the department shall reduce the share of regional housing needs of a county if all of the following conditions are met:

(A) One or more cities within the county agree to increase its share or their shares in an amount which will make up for the reduction.

(B) The transfer of shares shall only occur between a county and cities within that county.

(C) The county's share of low-income and very low income housing shall be reduced only in proportion to the amount by which the county's share of moderate- and above moderate-income housing is reduced.

(D) The council of governments or the department, whichever assigned the county's share, shall have authority over the approval of the proposed reduction, taking into consideration the criteria of subdivision (a) of Section 65584.

(6) The housing element shall contain an analysis of the factors and circumstances, with all supporting data, justifying the revision. All materials and data used to justify any revision shall be made available upon request by any interested party within seven days upon payment of reasonable costs of reproduction unless the costs are waived due to economic hardship.

(d) (1) Except as provided in paragraph (2), any ordinance, policy, or standard of a city or county * * * which directly limits, by number, the building permits which may be issued for residential construction, or which limits for a set period of time the number of buildable lots which may be developed for residential purposes, shall not be a justification for a determination or a reduction in * * * the share of a city or county of the regional housing need.

(2) Paragraph (1) does not apply to any city or county * * * which imposes a moratorium on residential construction for a set period of time in order to preserve and protect the public health and safety. If a moratorium is in effect, the city or county * * * shall, prior to a revision pursuant to subdivision (c), adopt findings which specifically describe the * * * threat to the public health and safety and the reasons why construction of the number of units specified as its share of the regional housing need would prevent the mitigation of that threat.

(e) Any authority to review and revise * * * the share of a city or county of the regional housing need granted under this section shall not constitute authority to revise, approve, or disapprove the manner in which the * * * share of the city or county of the regional housing need is implemented through its housing program.

(f) A fee may be charged interested parties for any additional costs caused by the amendments made to subdivision (c) by Chapter 1684 of the Statutes of 1984 reducing from 45 to seven days the time within which materials and data shall be made available to interested parties.

(g) Determinations made by the department, a council of governments, or a * * * city or county pursuant to this section are exempt from the provisions of the California Environmental Quality Act * * * Division 13 (commencing with Section 21000) of the Public Resources Code.

(Amended by Stats.1984, c. 1684, § 1; Stats.1989, c. 1451, § 2; Stats.1990, c. 1441 (S.B.2274), § 4.

Historical and Statutory Notes

1989 Legislation

Section 5 of Stats.1989, c. 1451, provides:

"Section 3.5 [should read § 3] of this bill incorporates amendments to Section 63384 [should read 65584] of the Government Code proposed by both this bill and SB 966 [vetoed]. It shall only become operative if (1) both bills are enacted and become effective on January 1, 1990, (2)

each bill amends Section 65584 of the Government Code and (3) this bill is enacted after SB 966, in which case Section 2 of this bill shall not become operative."

1990 Legislation

Amendment of this section by § 4.5 of Stats.1990, c. 1441, failed to become operative under the provisions of § 9 of that Act.

Notes of Decisions

Existing and projected housing needs 1

Income classifications 3

Additions or changes indicated by underline; deletions by asterisks * * *

Zoning and planning 2

1. Existing and projected housing needs

Determination of a locality's share of regional housing needs by a council of governments must include both the existing and projected housing needs of the locality. 70 Ops.Atty.Gen. 231, 9-29-87.

2. Zoning and planning

In determining whether local open space ordinance accommodated regional housing interests, trial court was not required to consider cumulative effect of ordinance and town's other land use restrictions. *Northwood Homes, Inc. v. Town of Moraga* (App. 1 Dist.1989) 265 Cal.Rptr. 363, 216 Cal.App.3d 1197.

Evidence was sufficient to establish that local open space ordinance had only minimal effect on regional housing supply in determining whether ordinance accommo-

dated regional housing interests; evidence indicated that ordinance would result in reduction of only 113 housing units. *Northwood Homes, Inc. v. Town of Moraga* (App. 1 Dist.1989) 265 Cal.Rptr. 363, 216 Cal.App.3d 1197.

As regards determination of a locality's share of regional housing needs by a council of governments, the availability of suitable housing sites must be considered based not only upon existing zoning ordinances and land use restrictions of the locality, but also upon the potential for increased residential development under alternative zoning ordinances and land use restrictions. 70 Ops.Atty.Gen. 231, 9-29-87.

3. Income classifications

Income categories of Sections 6910-6932 of Title 25 of the California Administrative Code must be used by a council of governments when determining a locality's share of regional housing needs. 70 Ops.Atty.Gen. 231, 9-29-87.

§ 65584.3. Los Angeles county; cities without residentially zoned lands; adoption of housing element; transfer of tax increment funds for low- and moderate-income housing; use of funds

(a) A city that is incorporated to promote commerce and industry, that is located in the County of Los Angeles, and that has no residentially zoned land within its boundaries on January 1, 1992, may elect to adopt a housing element that makes no provision for new housing or the share of regional housing needs as determined pursuant to Section 65584 for the current and subsequent revisions of the housing element pursuant to Section 65588, for the period of time that 20 percent of all tax increment revenue accruing from all redevelopment projects, and required to be set aside for low- and moderate-income housing pursuant to Section 33334.2 of the Health and Safety Code, is annually transferred to the Housing Authority of the County of Los Angeles.

(b) (1) The amount of tax increment to be transferred each year pursuant to subdivision (a) shall be determined at the end of each fiscal year, commencing with the 1992-93 fiscal year. This amount shall be transferred within 30 days of the agency receiving each installment of its allocation of tax increment moneys, commencing in 1993.

(2) On or before December 31, 1992, the agency shall make an additional payment to the Housing Authority of the County of Los Angeles which eliminates any indebtedness to the low- and moderate-income housing fund pursuant to Section 33334.3. This amount shall be reduced by any amount actually expended by the redevelopment agency for principal or interest payments on agency bonds issued prior to the effective date of the act which adds this section, when that portion of the agency's tax increment revenue representing the low- and moderate-income housing set-aside funds was lawfully pledged as security for the bonds, and only to the extent that other tax increment revenue in excess of the 20 percent low- and moderate-income set-aside funds is insufficient in that fiscal year to meet in full the principal and interest payments.

(c) The Department of Housing and Community Development shall annually review the calculation and determination of the amount transferred pursuant to subdivisions (a) and (b). The department may conduct an audit of these funds if and when the Director of Housing and Community Development deems an audit appropriate.

(d) The amount transferred pursuant to subdivisions (a) and (b) shall fulfill the obligation of that city's redevelopment agency to provide for housing for low- and moderate-income families and individuals pursuant to Sections 33334.2 to 33334.16, inclusive, of the Health and Safety Code. The use of these funds for low- and moderate-income families in the region of the Southern California Association of Governments within which the city is located shall be deemed to be of benefit to the city's redevelopment project areas.

(e) (1) The amount transferred pursuant to subdivisions (a) and (b) to the Housing Authority of the County of Los Angeles shall be expended to provide housing and assistance, including, but not limited to, that specified in subdivision (e) of Section 33334.2 of the Health and Safety Code for low- and moderate-income families and individuals, in the region of the Southern California Association of Governments within which the city is located.

(2) Funds expended pursuant to this subdivision shall be expended in accordance with all of the following:

Additions or changes indicated by underline; deletions by asterisks * * *

(A) The funds shall be expended for the construction of low- and moderate-income housing located no further than 15 miles from the nearest boundary line of the City of Industry.

(B) The low- and moderate-income housing constructed pursuant to this subdivision shall be in addition to any other housing required by the housing element of the general plan of the jurisdiction in which the low- and moderate-income housing is constructed.

(C) Funds may be encumbered by the Housing Authority of the County of Los Angeles for the purposes of this subdivision only after the authority has prepared a written plan for the expenditure of funds to be transferred to the authority pursuant to this subdivision and has filed a copy of this expenditure plan with the Department of Housing and Community Development.

(f) A city that meets the conditions specified in subdivision (d) shall continue to have responsibility for preparing a housing element pursuant to Section 65583 only to the extent to which the assessment of housing needs, statement of goals and objectives, and the five-year schedule of actions relate to the city's plan to maintain, preserve, and improve the housing that exists in the city on the effective date of the act which adds this section.

(g) This section shall not become operative unless and until a parcel of land, to be dedicated for the construction of a high school, is transferred pursuant to a written agreement between the City of Industry and the Pomona Unified School District, and a copy of this agreement is filed with the Secretary of State.

(Added by Stats.1992, c. 1139 (S.B.1718), § 1.)

Historical and Statutory Notes

1992 Legislation

Section 2 of Stats.1992, c. 1139 (S.B.1718), provides:
"The Legislature finds and declares that, due to the unique circumstances regarding the County of Los Ange-

les addressed by this act, a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution."

§ 65585. Draft element or amendment; submission, review and report; adoption by legislative body; review by department and report to planning agency

(a) In the preparation of its housing element, each * * * city and county shall consider the guidelines adopted by the department pursuant to Section 50459 of the Health and Safety Code * * *. Those guidelines shall be advisory to each * * * city or county in the preparation of its housing element.

(b) At least 90 days prior to adoption of its housing element, or at least 45 days prior to the adoption of an amendment to this element, the planning agency * * * shall submit a draft * * * element or draft amendment to the department. The department shall review * * * the draft and report its written findings to the planning agency within 90 days of its receipt of the draft in the case of an adoption * * * or within 45 days of its receipt * * * in the case of * * * a draft amendment. * * *

* * *

(c) In the preparation of its findings, the department may consult with any public agency, group, or person. The department shall receive and consider any written comments from any public agency, group, or person regarding the draft or adopted element or amendment under review.

(d) In its written findings, the department shall determine whether the draft element or draft amendment substantially complies with the requirements of this article.

(e) Prior to the adoption of its draft element or draft amendment, the legislative body shall consider the findings made by the department. If the department's findings are not available within the time limits set by this section, the legislative body may act without them.

(f) If the department finds that the draft element or draft amendment does not substantially comply with the requirements of this article, the legislative body shall take one of the following actions:

(1) Change the draft element or draft amendment to substantially comply with the requirements of this article.

(2) Adopt the draft element or draft amendment without changes. The legislative body shall include in its resolution of adoption written findings which explain the reasons the legislative body believes that the draft element or draft amendment substantially complies with the requirements of this article despite the findings of the department.

(g) Promptly following the adoption of its element or amendment, the planning agency shall submit a copy to the department.

Additions or changes indicated by underline; deletions by asterisks * * *

(h) The department shall, within 120 days, review adopted housing elements or amendments and report its findings to the planning agency.

(Amended by Stats. 1983, c. 1250, § 2, eff. Sept. 30, 1983, operative Jan. 1, 1984; Stats. 1984, c. 1009, § 20.5; Stats. 1990, c. 1441 (S.B. 2274), § 5.)

Historical and Statutory Notes

1984 Legislation

Section 43 of Stats. 1984, c. 1009, provides, in part: "The amendment made to Section 65585 of the Government Code by this act does not constitute a change in, but is declaratory of, existing law."

Legislative intent relating to Stats. 1984, c. 1009, see note under Educ.C. § 39002.

Cross References

Mather Air Force Base Redevelopment Project Area, special requirements, see Health and Safety Code, § 33492.61.

§ 65587. Housing element deadline; extensions; actions for review of conformity; time for compliance

(a) Each city, county, or city and county shall bring its housing element, as required by subdivision (c) of Section 65302, into conformity with the requirements of this article on or before October 1, 1981 * * *, and the deadlines set by Section 65588. Except as specifically provided in subdivision (b) of Section 65361, * * * the Director of Planning and Research shall not grant an extension of time from these requirements.

(b) Any action brought by any interested party to review the conformity with the provisions of this article of any housing element or portion thereof or revision thereto shall be brought pursuant to Section 1085 of the Code of Civil Procedure; the court's review of compliance with the provisions of this article shall extend to whether the housing element or portion thereof or revision thereto substantially complies with the requirements of this article.

(c) If a court finds that an action of a city, county, or city and county, which is required to be consistent with its general plan, does not comply with its housing element, the city, county, or city and county shall bring its action into compliance within 60 days. However, the court shall retain jurisdiction throughout the period for compliance to enforce its decision. Upon the court's determination that the 60-day period for compliance would place an undue hardship on the city, county, or city and county, the court may extend the time period for compliance by an additional 60 days.

(Amended by Stats. 1984, c. 1009, § 21; Stats. 1990, c. 1441 (S.B. 2274), § 6.)

Historical and Statutory Notes

1984 Legislation

Section 44 of Stats. 1984, c. 1009, provides:

"It is the intent of the Legislature that the term 'substantially complies,' as used in subdivision (b) of Sec-

tion 65587, be given the same interpretation as was given that term by the court in *Camp v. Board of Supervisors*, 123 Cal.App.3d 334, 348."

Legislative intent relating to Stats. 1984, c. 1009, see note under Educ.C. § 39002.

Law Review Commentaries

Marina Point, Ltd. v. Wolfson: Discrimination in rental housing against families with children. (1983) 71 C.L.R. 1324.

§ 65588. Review and revision

(a) Each local government shall review its housing element as frequently as appropriate to evaluate all of the following:

(1) The appropriateness of the housing goals, objectives, and policies in contributing to the attainment of the state housing goal.

(2) The effectiveness of the housing element in attainment of the community's housing goals and objectives.

(3) The progress of the city, county, or city and county in implementation of the housing element.

Additions or changes indicated by underline; deletions by asterisks * * *

(b) The housing element shall be revised as appropriate, but not less than every five years, to reflect the results of this periodic review.

In order to facilitate effective review by the department of housing elements, the following local governments * * * shall prepare and adopt the first two revisions of their housing elements no later than the dates specified in the following schedule, notwithstanding the date of adoption of the housing elements in existence on the effective date of the act which amended this section during the 1983-84 Session of the Legislature.

(1) Local governments within the regional jurisdiction of the Southern California Association of Governments: July 1, 1984, for the first revision and July 1, 1989, for the second revision.

(2) Local governments within the regional jurisdiction of the Association of Bay Area Governments: January 1, 1985, for the first revision, and July 1, 1990, for the second revision.

(3) Local governments within the regional jurisdiction of the San Diego Association of Governments, the Council of Fresno County Governments, the Kern County Council of Governments, the Sacramento Council of Governments, and the Association of Monterey Bay Area Governments: July 1, 1985, for the first revision, and July 1, 1991, for the second revision.

(4) All other local governments: January 1, 1986, for the first revision, and July 1, 1992, for the second revision.

(5) Subsequent revisions shall be completed not less often than at five-year intervals following the second revision.

(c) The review and revision of housing elements required by this section shall take into account any low- or moderate-income housing * * * provided or required pursuant to Section 65590.

(d) The review pursuant to subdivision (c) shall include, but need not be limited to, the following:

(1) The number of new housing units approved for construction within the coastal zone after January 1, 1982.

(2) The number of housing units for persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code, required to be provided in new housing developments either within the coastal zone or within three miles of the coastal zone pursuant to Section 65590.

(3) The number of existing residential dwelling units occupied by persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code, that have been authorized to be demolished or converted since January 1, 1982, in the coastal zone.

(4) The number of residential dwelling units for persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code, that have been required for replacement or authorized to be converted or demolished as identified in paragraph (3). The location of the replacement units, either onsite, elsewhere within the locality's jurisdiction within the coastal zone, or within three miles of the coastal zone within the locality's jurisdiction, shall be designated in the review.

(e) Notwithstanding the requirements of paragraph (5) of subdivision (b), the dates of revisions for the housing element shall be modified upon the effective date of this provision as follows:

(1) Local governments within the regional jurisdiction of the Southern California Association of Governments: June 30, 1996, for the third revision, and June 30, 2000, for the fourth revision.

(2) Local governments within the regional jurisdiction of the Association of Bay Area Governments: June 30, 1997, for the third revision, and June 30, 2002, for the fourth revision.

(3) Local governments within the regional jurisdiction of the San Diego Association of Governments, the Council of Fresno County Governments, the Kern County Council of Governments, the Sacramento Council of Governments, and the Association of Monterey Bay Area Governments: June 30, 1998, for the third revision, and June 30, 2003, for the fourth revision.

(4) All other local governments: June 30, 1999, for the third revision, and June 30, 2004, for the fourth revision.

(5) Subsequent revisions shall be completed not less often than at five-year intervals following the fourth revision.

(Amended by Stats.1984, c. 208, § 1, eff. June 20, 1984; Stats.1993, c. 695 (A.B.2172), § 1.)

Notes of Decisions

In general 1

Garat v. City of Riverside (App. 4 Dist.1991) 3 Cal.Rptr.2d 504, 2 Cal.App.4th 259, review denied.

1. In general

City was not required to periodically revise provisions of its general plan other than plan's housing element.

There is no statutory requirement that anything other than housing element of city's general plan be regularly revised. Garat v. City of Riverside (App. 4 Dist.1991) 3 Cal.Rptr.2d 504, 2 Cal.App.4th 259, review denied.

§ 65588.1. Planning period extension

(a) The planning period of existing housing elements prepared pursuant to subdivision (b) of Section 65588 shall be extended through June 30 of the year of the housing element due date prescribed in subdivision (e) of Section 65588. Local governments shall continue to implement the housing program of existing housing elements and the annual review pursuant to Section 65400.

(b) The extension provided in this section shall not limit the existing responsibility under subdivision (b) of Section 65588 of any jurisdiction to adopt a housing element in conformance with this article.

(c) It is the intent of the Legislature that nothing in this section shall be construed to reinstate any mandates pursuant to Chapter 1143 of the Statutes of 1980 suspended by the Budget Act of 1993-94. (Added by Stats.1993, c. 695 (A.B.2172), § 2.)

§ 65588.5. Repealed by Stats.1993, c. 437 (A.B.1678), § 4, eff. Sept. 24, 1993

Historical and Statutory Notes

The repealed section, added by Stats.1991, c. 889 (S.B. 1019), § 3, related to submission to the department of a copy of the report required by § 65400.

§ 65589.3. Rebuttable presumption of validity of element or amendment in action to challenge housing element

In any action filed on or after January 1, 1991, taken to challenge the validity of a housing element, there shall be a rebuttable presumption of the validity of the element or amendment if, pursuant to Section 65585, the department has found that the element or amendment substantially complies with the requirements of this article.

(Added by Stats.1990, c. 1441 (S.B.2274), § 7.)

§ 65589.5. Legislative findings; state policies; disapproval or approval by local agency of low- and moderate-income housing development projects; construction and application of section; definitions

(a) The Legislature finds all of the following:

(1) The lack of affordable housing is a critical problem which threatens the economic, environmental, and social quality of life in California.

(2) California housing has become the most expensive in the nation. The excessive cost of the state's housing supply is partially caused by activities and policies of many local governments which limit the approval of affordable housing, increase the cost of land for affordable housing, and require that high fees and exactions be paid by producers of potentially affordable housing.

(3) Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.

(4) Many local governments do not give adequate attention to the economic, environmental, and social costs of decisions which result in disapproval of affordable housing projects, reduction in density of affordable housing projects, and excessive standards for affordable housing projects.

(b) It is the policy of the state that a local government not reject or make infeasible affordable housing developments which contribute to meeting the housing need determined pursuant to this article without a thorough analysis of the economic, social, and environmental effects of the action and without meeting the provisions of subdivision (d).

(c) The Legislature also recognizes that premature and unnecessary development of agricultural lands to urban uses continues to have adverse effects on the availability of those lands for food and fiber production and on the economy of the state. Furthermore, it is the policy of the state that development

Additions or changes indicated by underline; deletions by asterisks ***

should be guided away from prime agricultural lands; therefore, in implementing this section, local jurisdictions should encourage, to the maximum extent practicable, in filling existing urban areas.

(d) A local agency shall not disapprove a housing development project affordable to low- and moderate-income households or condition approval in a manner which renders the project infeasible for development for the use of low- and moderate-income households unless it finds, based upon substantial evidence, one of the following:

(1) The jurisdiction has adopted a housing element pursuant to this article and the development project is not needed for the jurisdiction to meet its share of the regional housing need of low-income housing.

(2) The development project as proposed would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households. As used in this paragraph, a "specific, adverse impact" means a significant, unavoidable impact, as provided in written standards, policies, or conditions.

(3) The denial of the project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households.

(4) Approval of the development project would increase the concentration of lower income households in a neighborhood that already has a disproportionately high number of lower income households and there is no feasible method of approving the development at a different site, including those sites identified pursuant to paragraph (1) of subdivision (c) of Section 65583, without rendering the development unaffordable to low- and moderate-income households.

(5) The development project is proposed on land zoned for agriculture or resource preservation which is surrounded on at least two sides by land being used for agricultural or resource preservation purposes, or which does not have adequate water or wastewater facilities to serve the project.

(6) The development project is inconsistent with the jurisdiction's general plan land use designation as specified in any element of the general plan as it existed on the date the application was deemed complete, and the jurisdiction has adopted a housing element pursuant to this article.

(e) Nothing in this section shall be construed to relieve the local agency from complying with the Congestion Management Program required by Chapter 2.6 (commencing with Section 65088) of Division 1 of Title 7 of the Government Code or the California Coastal Act (Division 20 (commencing with Section 30000) of the Public Resources Code). Neither shall anything in this section be construed to relieve the local agency from making one or more of the findings required pursuant to Section 21081 of the Public Resources Code or otherwise complying with the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(f) Nothing in this section shall be construed to prohibit a local agency from requiring the development project to comply with written development standards, conditions, and policies appropriate to, and consistent with, meeting the quantified objectives relative to the development of housing, as required in the housing element pursuant to subdivision (b) of Section 65583. Nor shall anything in this section be construed to prohibit a local agency from imposing fees and other exactions otherwise authorized by law which are essential to provide necessary public services and facilities to the development project.

(g) This section shall be applicable to charter cities, because the Legislature finds that the lack of affordable housing is a critical statewide problem.

(h) The following definitions apply for the purposes of this section:

(1) "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

(2) "Affordable to low- and moderate-income households" means at least 20 percent of the total unit shall be sold or rented to lower income households, as defined in Section 50079.5 of the Health and Safety Code, and the remaining units shall be sold or rented to either lower income households or persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code. Housing unit targeted for lower income households shall be made available at a monthly housing cost that does not exceed 30 percent of 60 percent of area median income with adjustments for household size made in accordance with the adjustment factors on which the lower income eligibility limits are based. Housing units targeted for persons and families of moderate income shall be made available at a monthly housing cost that does not exceed 30 percent of 100 percent of area median income with adjustments for household size made in accordance with the adjustment factors on which the moderate income eligibility limits are based.

(3) "Area median income" shall mean area median income as periodically established by the Department of Housing and Community Development pursuant to Section 50093 of the Health and Safety Code.

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The developer shall provide sufficient legal commitments to ensure continued availability of units for the lower income households in accordance with the provisions of this subdivision for 30 years.

(4) "Neighborhood" means a planning area commonly identified as such in a community's planning documents, and identified as a neighborhood by the individuals residing and working within the neighborhood. Documentation demonstrating that the area meets the definition of neighborhood may include a map prepared for planning purposes which lists the name and boundaries of the neighborhood.

(i) If any city, county, or city and county denies approval or imposes restrictions, including a reduction of allowable densities or the percentage of a lot which may be occupied by a building or structure under the applicable planning and zoning in force at the time the application is deemed complete pursuant to Section 65943, which have a substantial adverse effect on the viability or affordability of a housing development affordable to low- and moderate-income households, and the denial of the development or the imposition of restrictions on the development is the subject of a court action which challenges the denial, then the burden of proof shall be on the local legislative body to show that its decision is consistent with the findings as described in subdivision (d).

(j) When a proposed housing development project complies with the applicable general plan, zoning, and development policies in effect at the time that the housing development project's application is determined to be complete, but the local agency proposes to disapprove the project or to approve it upon the condition that the project be developed at a lower density, the local agency shall base its decision regarding the proposed housing development project upon written findings supported by substantial evidence on the record that both of the following conditions exist:

(1) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a "specific, adverse impact" means a significant, unavoidable impact, as provided in written standards, policies, or conditions.

(2) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

(Amended by Stats.1990, c. 1439 (S.B.2011), § 1; Stats.1991, c. 100 (S.B.162), § 1, eff. July 1, 1991; Stats.1992, c. 1356 (S.B.1711), § 1.)

Historical and Statutory Notes

1991 Legislation

Section 12 of Stats.1991, c. 100 (S.B.162), provides:

"The Legislature hereby finds and declares that the amendments made by this act do not significantly alter the manner in which proceeds of bonds sold pursuant to the Housing and Homeless Bond Act of 1988 are expend-

ed, but rather complement and enhance the underlying purpose and provisions of that bond act.

"The Legislature also finds and declares that the amendments made to Section 50880 by Section 5 of this act do not constitute changes in, but are declaratory of, existing law."

Law Review Commentaries

Review of selected 1990 California legislation. 22 Pac. L.J. 705 (1991).

Review of selected 1992 California legislation. 24 Pac. L.J. 932 (1993).

Notes of Decisions

Compliance with plan 2 Written findings 1

1. Written findings

Even if charter cities are subject to this section which requires local agency to produce written findings supported by substantial evidence when it denies proposed housing development application which complies with applicable general plan, zoning, and development policies in effect, this section did not apply to charter city council's denial of application to rezone property from single family

to multifamily density, as such development was not in compliance with the "zoning * * * polic[y] in effect at the time * * * ." *Mira Development Corp. of San Diego v. City of San Diego* (App. 4 Dist.1988) 252 Cal.Rptr. 825, 205 Cal.App.3d 1201.

2. Compliance with plan

When developers filed tentative subdivision map during revision of town's general plan, proposal had to be evaluated against draft general plan under consideration during extension period, rather than under existing general plan. *Harroman Co. v. Town of Tiburon* (App. 1 Dist.1991) 1 Cal.Rptr.2d 72, 235 Cal.App.3d 388, review denied.

§ 65589.6. Burden of proof; conformance to conditions in § 65589.5

In any action taken to challenge the validity of a decision by a city, county, or city and county to disapprove a project or approve a project upon the condition that it be developed at a lower density

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§ 65589.6

GOVERNMENT CODE

pursuant to Section 65589.5, the city, county, or city and county shall bear the burden of proof that its decision has conformed to all of the conditions specified in Section 65589.5.

(Added by Stats.1984, c. 1104, § 1.)

Library References

Evidence § 90 et seq., 97.

C.J.S. Evidence §§ 103 to 106 et seq.

§ 65589.7. Delivery of housing element to special district or private entity providing water or sewer services; priority for services

(a) The housing element adopted by the legislative body and any amendments made to that element shall be delivered to all * * * public agencies or private entities that provide water services at retail or sewer services within the territory of the legislative body. When allocating or making plans for the allocation of available and future resources or services designated for residential use, each * * * public agency or private entity providing water services at retail or sewer services * * *, shall grant a priority for the provision of these available and future resources or services to proposed housing developments which help meet the city's, county's, or city and county's share of the regional housing need for lower income households as identified in the housing element adopted by the legislative body and any amendments made to that element.

(b) This section is intended to neither enlarge nor diminish the existing authority of a city, county or city and county in adopting a housing element. Failure to deliver a housing element adopted by the legislative body or amendments made to that element, to a * * * public agency or private entity providing water services at retail or sewer services shall not invalidate any action or approval of a development project. The special districts which provide water services at retail or sewer services related to development, as defined in subdivision (e) of Section 56426, are included within this section.

(c) As used in this section, "water services at retail" means supplying water directly to the end user or consumer of that water, and does not include sale by a water supplier to another water supplier for resale.

(Added by Stats.1991, c. 889 (S.B.1019), § 4. Amended by Stats.1992, c. 1356 (S.B.1711), § 2.)

Application

For application of additional requirements and duties created by Stats.1991, c. 889, § 4, see Historical and Statutory Notes, post

Historical and Statutory Notes

1991 Legislation

Stats.1991, c. 889 (S.B.1019), § 5, provides:

"The additional requirements and duties created by Sections 1, 2, and 4 of this act shall be applicable upon the

next amendment or periodic review of the housing element by the legislative body."

Law Review Commentaries

Review of selected 1992 California legislation. 24 Pac. L.J. 932 (1993).

§ 65589.8. Fixed percentage of affordable housing units; satisfaction of requirement by construction of rental housing at affordable monthly rents

A local government which adopts a requirement in its housing element that a housing development contain a fixed percentage of affordable housing units, shall permit a developer to satisfy all or a portion of that requirement by constructing rental housing at affordable monthly rents, as determined by the local government.

Nothing in this section shall be construed to expand or contract the authority of a local government to adopt an ordinance, charter amendment, or policy requiring that any housing development contain a fixed percentage of affordable housing units.

(Added by Stats. 1983, c. 787, § 1.)

Library References

Constitutional Law § 228.3, 278.3.

C.J.S. Constitutional Law §§ 566, 707.

Additions or changes indicated by underline; deletions by asterisks * * *

GOVERNMENT CODE

LOW- AND MOI

§ 65590. Coastal zone; co persons of low ments; fees; 1

1991 Legislation

Another § 65590, added by 325), § 1, was renumbered § Stats.1991, c. 1091 (A.B.1487), §

Section

- 65591. Short title.
- 65591.2. Legislative findin
- 65591.5. Legislative intent
- 65592. Definitions.
- 65593. Advisory task duties; duratio
- 65594. Model local water dinance; revie tion.
- 65595. Failure by local a efficient landsc:

Article

Addition of another § 65592, by Initiative

Former Article 10.8, of §§ 65591 to 65596, 1

§ 65591. Short title

This article may be cit (Formerly § 65590, added 1 Stats.1991, c. 1091 (A.B.148

1983 Legislation

Former § 65591, added by relating to the title of the arti 1983, c. 396, § 3. See, now, §

§ 65591.2. Legislative fir

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(a) The waters of the

(b) The continuation of being available for future

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Additions or c

State of California

GENERAL PLAN GUIDELINES

November 1990



George Deukmejian, Governor

Office of Planning and Research
Local Government Affairs
1400 Tenth Street
Sacramento, California 95814
916/445-4831

income, as defined in Section 50093 of the Health and Safety Code, that have been required for replacement or authorized to be converted or demolished as identified in paragraph (3). The location of the replacement units, either on-site, elsewhere within the locality's jurisdiction within the coastal zone, or within three miles of the coastal zone within the locality's jurisdiction, shall be designated in the review.

Government Code Section 65303: The general plan may . . . address any other subjects which, in the judgment of the legislative body, relate to the physical development of the county or city.

BACKGROUND

The Legislature enacted the first housing element requirement in 1969, but it contained no detailed statutory requirements. The State Department of Housing and Community Development (HCD) issued informal advisory housing element guidelines in 1971, but lacking detailed requirements, it could not critically review housing elements for compliance.

In 1975, AB 1X (Chapter 1) instructed HCD to adopt housing element guidelines and authorized the department to review and comment on local housing elements. The resulting 1977 guidelines called for new housing elements to contain an unprecedented degree of specific detail in their analysis of housing needs, resources, and programs.

The 1977 guidelines became the subject of controversy over whether they were advisory or binding upon cities and counties. The Legislature resolved the controversy in 1980 by statutorily specifying a housing element's requirements, declaring HCD guidelines to be advisory, and requiring cities and counties to consider the department's findings prior to adopting the element.

COURT INTERPRETATIONS

Buena Vista Gardens Apartments Association v. City of San Diego Planning Dept. (1985) 175 Cal.App.3d 289 provides the most thorough judicial discussion of housing element law. The plaintiff and appellant in the case were tenants occupying a large apartment complex for which the city had approved a long-term plan to demolish the existing units and develop condominiums on the site. The tenants challenged the plan's final approval, alleging that the city's housing element failed to meet statutory requirements in seven respects.

The appellate court found that in six of the seven respects the element substantially complied with state law. However, the element lacked any programs encouraging the conservation of mobilehome parks or existing affordable apartment rental units. The fact that the city had no basis upon which to deny the developer a demolition permit demonstrated the city's lack of a program to conserve affordable rental housing. As a result, the court prohibited the permit's issuance until the city amended its housing element with conservation programs substantially conforming to statutory requirements.

*Conservation
Program*

Court review of a legislative act, such as adoption of a general plan element, is very narrow. The court may only review for literal compliance with statutory mandates and may not scrutinize the wisdom or merits of the content of the element. The role of the Department of Housing and Community Development (HCD), because it reviews housing elements, is

broad. The court acknowledged, “(the) department reviews not only to ensure the requirements of 65583 are met, but also to make suggestions for improvements.” Furthermore, the court noted: “(while) this court may be of the opinion [that the] city should adopt department’s recommendations, the Legislature has stated its recommendations are advisory (Section 65585, subd.(a)).”

Buena Vista Gardens is consistent with the growing number of cases that support the general plan’s integrity and require “substantial” (i.e., actual) compliance with its statutorily stated content. For example, a project may be halted when the general plan either lacks a relevant element or the relevant element is inadequate, as many cases have demonstrated.

Court Sanctions

A more recent case, *Committee for Responsible Planning v. City of Indian Wells* (1989) 209 Cal.App.3d 1005, exemplifies the type of action a court may take after it invalidates a general plan. After holding Indian Well’s general plan invalid for failure to achieve internal consistency and failure to address various statutorily required issues in the housing element, the trial court ordered the city to bring its general plan into compliance with state law and imposed a moratorium. The court order prevented the city from granting building permits and discretionary land use approvals such as subdivision maps, rezoning, and variances until it updated its general plan.

In the meantime, a developer sought approval to record a final tract map. Pursuant to Government Code Section 65755(b), the subdivider requested that the court waive the moratorium’s restrictions. The court may do so when it finds that the project would “not significantly impair” the city’s ability to adopt all or part of the new plan in compliance with statutory requirements. Recognizing the Legislature’s statutory guidance reflecting the housing element’s “preeminent importance,” the court disagreed with the developer’s arguments that the tract map would not affect the city’s ability to adopt an adequate housing element. The court refused to allow approval of the map until the general plan was adopted.

RELEVANT ISSUES

The housing element issues listed below are derived from Government Code Sections 65583 and 65590. Local governments may address these matters in any format they deem appropriate. For example, they may group together issues having functional relationships or overlapping meanings such as “preservation,” “maintenance,” and “improvement” of housing. The important thing to remember is that a housing element, regardless of its format, should clearly identify and address, at a minimum, each of the following issues.

Preservation of housing (Gov.C. Section 65583 1st para. & (b))

Maintenance of housing (Gov.C. Section 65583 1st para. & (b))

Improvement and conservation of housing, including affordable housing stock (Gov.C. Section 65583 1st para., (b) & (c)(4))

Development of housing (Gov.C. Section 65583 1st para. & (b))

Adequate sites for housing (Gov.C. Section 65583 1st para.)

Adequate provision of housing for existing and projected needs, including regional share, for all economic segments of the community (Gov.C. Section 65583 1st para.)

Promotion of housing opportunities for all persons (Gov.C. Section 65583(c)(5))

Coastal zone replacement housing (Gov.C. Sections 65588(c)(d) and 65590(h)(2)) - applicable to jurisdictions which are partially or entirely within the Coastal Zone

REVIEWING AND REVISING THE HOUSING ELEMENT

Unlike the other elements of the general plan, state law explicitly requires that the housing element be reviewed and updated continuously (Government Code Section 65588). Cities and counties must review their housing elements as frequently as appropriate with regard to:

- (1) The appropriateness of their housing goals, objectives, and policies in contributing to the attainment of the state housing goal. *Scope*
- (2) The effectiveness of the housing element in attaining the community's housing goals and objectives.
- (3) The progress in implementing the housing element.

Evaluations of the element's effectiveness and success in its implementation should include the following information:

- A comparison of the actual results of the element with its goals, objectives, policies and programs. The results should be quantified where possible, but may be qualitative where necessary. *Information*
- An analysis of the significant differences between what was projected or planned in the earlier element and what was achieved.
- A description of how the goals, objectives, policies and programs of the updated element incorporate what was learned from the results of the prior element.

The housing element must be comprehensively revised at least every five years to reflect the results of this periodic review. Government Code Section 65588 establishes the timetable for these revisions.

In coastal communities, the revision must take into account any low- or moderate-income housing that has been provided or required in the coastal zone in accordance with Government Code Section 65590. The review of coastal zone housing activity shall include at least the following information: *Coastal Zone*

- The number of new housing units approved for construction within the zone after January 1, 1982.
- The number of units for persons and families of low or moderate income that have been required to be included in new housing developments either within the zone or within 3 miles thereof.
- The number of existing units occupied by low- or moderate-income residents that have been authorized to be demolished or converted to another use within the zone since January 1, 1982.
- The number of low- or moderate-income residential units that have been required for replacement or authorized for demolition or conversion as quantified above. The review must also identify the location of any replacement units.

Useful Housing Element Definitions

Assisted Housing Developments: Multifamily rental housing that receives governmental assistance under federal programs listed in subdivision (a) of Government Code Section 65863.10, state and local multifamily revenue bond programs, local redevelopment programs, the federal Community Development Block Grant Program, or local in-lieu fees. The term also includes multifamily rental units that were developed pursuant to a local inclusionary housing program or used to qualify for a density bonus pursuant to Government Code Section 65916.

Income Levels: Income categories are defined with respect to the area median income and are adjusted for household size. For detailed definitions of these terms, the reader should consult Chapter 6.5 (commencing with Section 6910) of Title 25 of the California Code of Regulations. Although there are exceptions, the four-person income limits are as follows:

Very Low Income: No more than 50 percent of the area median income.

Other Lower Income: Between 50 and 80 percent of the area median income.

Lower Income: No more than 80 percent of the area median income (i.e., combination of very low income and other lower income).

Moderate Income: Between 80 and 120 percent of the area median income.

Above Moderate Income: Above 120 percent of the area median income.

Goal: See the definition of “goal” in Chapter I of these guidelines.

Quantified Objective: The housing element must include quantified objectives which specify the maximum numbers of housing units that can be constructed, rehabilitated, and conserved within a five-year time frame, based on the needs, resources, and constraints identified in the housing element (Government Code Section 65583(b)). The number of units that can be conserved should include a subtotal for the number of existing assisted units subject to conversion to non-low-income uses which can be preserved for lower-income households. Whenever possible, objectives should be set for each particular housing program, establishing a numerical target for the effective period of the program.

Ideally, the sum of the quantified objectives will be equal to the identified housing needs. However, identified needs may exceed available resources and limitations imposed by other requirements of state planning law. Where this is the case, the quantified objectives need not equal the identified housing needs, but should establish the maximum number of units that can be constructed, rehabilitated, and conserved (including existing subsidized units subject to conversion which can be preserved for lower-income use), given the constraints. See the definition of “objective” in Chapter I of these guidelines.

Policy: See the definition of “policy” in Chapter I of these guidelines.

IDEAS FOR DATA AND ANALYSIS

The following aspects of data and analysis for housing elements are based on housing element law. For further guidance, consult the Department of Housing and Community Development (HCD).

Preservation of housing

- With regard to all economic segments of the community, identification and analysis of opportunities to preserve housing
- Identification of techniques for administering land use and development controls to facilitate the preservation of housing
- Identification of incentives for the preservation of housing (e.g., transferable development rights and historical property contracts pursuant to Gov.C. Section 50280 et seq.)

Maintenance of housing

- With regard to all economic segments of the community, identification and analysis of opportunities for housing maintenance programs
- Identification of techniques for administering land use and development controls to facilitate the maintenance of housing
- Identification of incentives for the maintenance of housing (e.g., expedited permit processing and fee reductions)

Improvement and conservation of housing, including affordable housing stock

- With regard to all economic segments of the community, identification and analysis of opportunities to improve and conserve existing housing stocks
- Identification of techniques for administering land use and development controls to facilitate the improvement and conservation of housing
- Identification of incentives for the improvement and conservation of housing (e.g., expedited permit processing and fee reductions)

Development of housing

- With regard to all economic segments of the community, identification and analysis of opportunities to develop new housing
- Identification of techniques for administering land use and development controls to facilitate the development of housing
- Identification of incentives for the development of housing (e.g., density bonuses, expedited permit processing, and fee reductions)

Adequate sites for housing

- Inventory of land suitable for residential development, including:
 - Vacant sites
 - Sites having potential for redevelopment
- Analysis of these sites in relation to:
 - Zoning
 - Public facilities
 - Public services
- Identification of adequate sites for housing to meet existing and projected housing needs, including sites for:
 - Rental housing

- Factory-built housing
- Mobilehomes
- Emergency shelters
- Transitional housing
- Evaluation of the administration of zoning and subdivision ordinances with regard to the provision of adequate sites for housing

Adequate provision of housing for existing and projected needs, including regional share, for all economic segments of the community

Housing needs

- Disclosure of the local share of:
 - existing regional housing needs
 - projected regional housing needs
- Analysis of the factors and circumstances, with all supporting data, of the locality's revision to the local share of regional housing needs - when required pursuant to Government Code Section 65584(c)
- Assessment of local housing needs, including:
 - Analysis of population trends
 - Analysis of employment trends
 - Documentation of population projections
 - Documentation of employment projections
- Quantification of existing housing needs for all income levels, including the local share of existing regional housing needs as provided by the council of governments pursuant to Government Code Section 64484(a)
- Quantification of projected housing needs for all income levels, including the local share of projected regional housing needs as provided by the council of governments pursuant to Government Code Section 64484(a)

Household characteristics

- Analysis and documentation of household characteristics, including: level of payment compared to ability to pay; the number of very low and lower income households occupying units at a cost greater than 25 percent of their gross household income; and comparison of the income distribution of low and moderate income households in the community to the range of costs of housing units for sale and for rent in the community

Housing characteristics

- Analysis and documentation of housing characteristics, such as the number of households living in overcrowded conditions (1.01 or more persons per room)

Housing stock conditions

- Analysis and documentation of housing stock conditions, such as the number of households living in housing units needing rehabilitation or replacement, identified separately for owner-occupied and renter-occupied units

Resources for meeting existing and projected housing needs

- Inventory of resources relevant to meeting the identified housing needs, including:
 - Land suitable for residential development, including:
 - Vacant sites
 - Sites having potential for redevelopment
 - Inventory of these sites in relation to:

- Facilitating housing through zoning
- Available public facilities
- Available public services
- Federal, state, and local financing and subsidy programs
- Available financing from the low and moderate-income housing fund established by the local redevelopment agency

Constraints on meeting existing and projected housing needs

- Inventory of constraints relevant to meeting the identified housing needs, including:
 - Housing sites in relation to:
 - Zoning constraints
 - Public facilities constraints
 - Public service constraints
 - Potential and actual governmental constraints upon:
 - The maintenance of housing for all income levels, including:
 - Land use controls
 - Building codes and their enforcement
 - Site improvements
 - Fees and other exactions required of developers
 - Local processing and permit procedures
 - The improvement of housing for all income levels, including:
 - Land use controls
 - Building codes and their enforcement
 - Site improvements
 - Fees and other exactions required of developers
 - Local processing and permit procedures
 - The development of housing for all income levels, including:
 - Land use controls
 - Building codes and their enforcement
 - Site improvements
 - Fees and other exactions required of developers
 - Local processing and permit procedures
 - Potential and actual non-governmental constraints upon:
 - The maintenance of housing for all income levels, including:
 - Availability of financing
 - Price of land
 - Construction costs
 - The improvement of housing for all income levels, including:
 - Availability of financing
 - Price of land
 - Construction costs
 - The development of housing for all income levels, including:
 - Availability of financing
 - Price of land
 - Construction costs
- Identification of regulatory concessions which could reduce or eliminate constraints on needed housing

- Evaluation of techniques for administering land use and development controls which reduce constraints on needed housing

Special housing needs

- Analysis of any special housing needs such as those of:
 - The handicapped
 - The elderly
 - Large families
 - Farmworkers
 - Families with female heads of households
 - Families in need of:
 - Emergency shelter
 - Transitional housing
 - Persons in need of:
 - Emergency shelter
 - Transitional housing

Residential energy conservation

- Opportunities for energy conservation in the design and construction of individual units
- Opportunities for energy conservation in the design of subdivisions
- Proximity of proposed residential development to employment centers, retail commercial uses, schools, transit, and other services
- Identification of incentives facilitating energy conservation

*Conversion of assisted housing units**

- Analysis of assisted housing developments eligible for conversion to uses other than low-income housing during the next ten years due to termination of subsidy contracts, mortgage payments, or the expiration of use restrictions. The analysis must include:
 - A listing of each development project by name and address**
 - The type of governmental assistance received**
 - The earliest possible date of change from low-income use**
 - The total number of assisted housing units that could be lost from the locality's housing stock each year during the ten-year period, with regard to:
 - Units for the elderly**
 - Units for the non-elderly**

*Replacement of converted assisted housing units**

- The estimated total cost of developing new replacement rental housing comparable in size and rent level to the convertible units

*Preservation of assisted housing units**

- The estimated cost of preserving assisted housing developments
- Identification of public and private corporations having the legal and managerial capacity to acquire and manage assisted housing developments
- Identification and consideration of all federal, state, and local financing and subsidy programs useful in preserving assisted housing for lower income households
- Identification of the amounts of funds (under each such program) which could be available for preserving assisted housing developments

Promotion of housing opportunities for all persons

- Analyze U.S. Census data to determine the household characteristics of various areas or neighborhoods in the locality
- Identify those areas or neighborhoods which have homogeneous household characteristics
- Determine whether such homogeneous characteristics are the result of or influenced by local government policies or regulatory activities
- Analyze minimum residential lot size and other standards set forth in the land use element and in the zoning ordinance to ascertain whether there is an exclusionary effect on persons with regard to such factors as race, religion, ancestry, national origin, or color
- Consider the analysis of governmental constraints on housing supply
- Determine whether such homogeneous characteristics are the result of or influenced by nongovernmental actions
- Consider the analysis of nongovernmental constraints on housing supply
- Investigate local covenants, conditions, and restrictions (CC&Rs) to ascertain whether they produce an exclusionary effect with regard to such factors as race, religion, ancestry, national origin, or color
- Investigate the availability of housing purchase and improvement loans to all persons in all areas
- Determine whether there are governmental and nongovernmental constraints on the locality's meeting of its regional share of housing needs for all persons regardless of race, religion, sex, marital status, ancestry, national origin, or color
- Investigate the policies and regulations of other jurisdictions that promote housing opportunities for all persons
- Survey the literature regarding successful housing programs
- Use the *Book of Lists* published annually by the Office of Planning and Research to contact other jurisdictions about their housing programs
- Evaluate alternative techniques for administering land use and development controls which will encourage the provision of needed housing for all persons
- Establish a dialogue with and seek housing needs information from housing advocacy groups and the local housing authority
- Ask members of the community for ideas on promoting housing opportunities for all persons

Coastal zone replacement housing (Gov.C. Sections 65588(c)(d) and 65590(h)(2)) - applicable to jurisdictions which are partially or entirely within the Coastal Zone

- Any housing element review or revision pursuant to Government Code section 65588 should take into account all low or moderate-income housing developed to replace coastal zone low or moderate-income housing which was: 1) demolished; 2) converted to a condominium, cooperative, or similar form of ownership; or 3) converted to a nonresidential use. This accounting must include at least:
 - The number of new housing units approved for construction within the coastal zone after January 1, 1982

* The analysis related to assisted housing development shall be adopted as part of the housing element by January 1, 1992 (Government Code Section 65583(d)).

† This cost analysis for replacement housing may be done aggregately for each five-year period and does not have to contain a project by project cost estimate.

** For the purposes of state and federally funded projects, this analysis need only contain information available on a statewide basis.

- The number of housing units for persons and families of low or moderate income required to be provided in new housing developments either within the coastal zone or within three miles of the coastal zone
- The number of existing residential dwelling units occupied by persons and families of low or moderate income that have been authorized to be demolished or converted since January 1, 1982, in the coastal zone
- The number of residential dwelling units for persons and families of low or moderate income that have been required for replacement
- The designation of the location of the replacement units, either on-site, or elsewhere within the locality's jurisdiction within the coastal zone, or within three miles of the coastal zone within the locality's jurisdiction

IDEAS FOR DEVELOPMENT POLICIES

The housing element should contain a statement of development policies, including goals, quantified objectives, and policies for the preservation, maintenance, improvement, and development of housing. These policies should address the adequate provision of housing to meet the locality's existing and projected housing needs. The goals, objectives, and policies should also direct local decision making with regard to adequate sites for various types of housing, including rental and manufactured dwelling units.

Many of these policy issues overlap. For example, policies promoting housing for all economic segments of the community overlap similar directives addressing the replacement of converted assisted housing units. Furthermore, with regard to adequate housing supply, the statement of development policies should address a group of subordinate housing supply issues, such as those related to governmental constraints and special housing needs.

The following are ideas for a statement of development policies. The various policy considerations are listed under those housing element issues (in bold type) identified or suggested by Government Code Section 65583.

Preservation of housing

- Preservation of:
 - Housing, including affordable housing
 - Assisted housing developments that are eligible to change to non-low-income housing uses
- The administration of land use and development controls to facilitate the preservation of housing
- The use of incentives to encourage and facilitate the preservation of housing

Maintenance of housing

- Support for the maintenance of housing
- The administration of land use and development controls to facilitate the maintenance of housing
- The use of incentives to encourage and facilitate the maintenance of housing

Improvement and conservation of housing, including affordable housing stock

- Support for the improvement and conservation of existing housing for all economic segments, including affordable housing stock such as:

- Affordable rental housing stock
- Mobilehome parks
- Manufactured housing (e.g., factory-built housing and mobilehomes)
- The administration of land use and development controls to facilitate the improvement and conservation of housing, including affordable housing
- The use of incentives to encourage and facilitate the improvement and conservation of housing, including affordable housing

Development of housing

- Support for the development of housing
- The administration of land use and development controls to facilitate the development of housing
- The use of incentives to encourage and facilitate the development of housing

Adequate sites for housing

- The provision of sites in suitable locations and with adequate services which can collectively accommodate a range of housing (type, size, and price) meeting the needs of all economic segments of the community. Among other things, such policies should address:
 - The criteria for zoning of land for single-family, multiple-family, and mixed-use residential developments.
 - Policies assuring local compliance with the residential zoning requirements of Government Code Section 65913.1.
 - The standards for:
 - Public facilities serving residential uses
 - Public services serving residential uses
 - The use of vacant land for housing.
 - The use of redeveloped land for housing
 - The criteria for and provision of adequate sites for:
 - Housing in general
 - Rental housing
 - Factory-built housing
 - Mobilehomes
 - Emergency shelters for families and individuals
 - Transitional housing for families and individuals
 - Special needs housing
 - Amendments to local ordinances governing conditional use permits, variances, tentative subdivision maps, parcel maps, etc., to facilitate the provision of adequate sites for housing

Adequate provision of housing for existing and projected needs, including regional share, for all economic segments of the community

Housing needs

- The provision of adequate housing accommodating existing and projected housing needs, including the local share of the region's housing needs, for all economic segments of the community

Household characteristics

- Local housing programs to assist households in achieving an adequate level of housing payments relative to the cost of housing

Housing characteristics

- Reduction and elimination of overcrowded housing

Housing stock condition

- Support for the maintenance of housing
- Support for the improvement and conservation of dilapidated housing

Resources for meeting existing and projected housing needs

- The availability of:
 - Public services
 - Public services
 - Vacant land
 - Redeveloped land
- The use of local public financing mechanisms to finance public improvements and services for housing, including, but not limited to:
 - Special assessment districts
 - Mello-Roos community facilities districts
 - Special taxes
 - Tax increment financing revenues
 - General obligation bonds
 - Development impact fees
- The use of federal and state financing and subsidy programs to meet housing needs
- The use of moneys in a low or moderate-income housing fund derived from redevelopment financing activities

Constraints on meeting existing and projected housing needs

- Removal of unnecessary governmental constraints on the preservation, conservation, improvement, maintenance, and development of housing. Such constraints include:
 - Overly restrictive land use controls (e.g., large-lot zoning)
 - Overly restrictive building code regulations
 - Excessive site improvements
 - Expensive fees and other exactions required of developers
 - Red tape in the administration of land use and development controls
- Zoning ordinance amendments necessary to remove unwarranted constraints on the preservation, conservation, maintenance, improvement, and development of housing for all economic levels of households with regard to local housing needs and the locality's regional share of housing demand
- Special regulatory concessions further reducing or eliminating constraints on the preservation, conservation, maintenance, improvement, and development of housing to meet housing needs, including special housing needs
- Public service improvements necessary to remove unwarranted constraints on the preservation, conservation, maintenance, improvement, and development of housing for all economic levels of households with regard to local housing needs and the locality's regional share of housing demand
- Public facilities improvements necessary to remove unwarranted constraints on the preservation, conservation, maintenance, improvement, and development of housing for all economic levels of households with regard to local housing needs and the locality's regional share of housing demand
- Removal of potential and actual nongovernmental constraints upon the maintenance,

improvement, or development of housing for all income levels. Such constraints might include:

- The lack of available financing
- High land prices
- High construction costs
- Discrimination in the provision of housing based on race, religion, sex, marital status, ancestry, national origin, or color

Special housing needs

- Housing which meets the special needs, including the needs of:
 - The handicapped
 - The elderly
 - Large families
 - Farmworkers
 - Families with female heads of households
 - Families in need of:
 - Emergency shelter
 - Transitional housing
 - Persons in need of:
 - Emergency shelter
 - Transitional housing
- Standards for evaluating the suitability of individual sites for low and moderate-income (non-market-rate) housing
- Criteria for second dwelling units and granny flats

Residential energy conservation

- Energy conservation features in new and existing housing
- Land use controls encouraging energy conservation (such as solar orientation of subdivision lots - see Gov.C. Section 66473.1)
- The use of incentives encouraging energy conservation

*Conversion of assisted housing units**

- Appropriate and inappropriate conversions of assisted housing units

*Replacement of converted assisted housing units**

- The application of private, local, state, and federal financing mechanisms to fund the replacement of converted assisted housing units

*Preservation of assisted housing units**

- The application of private, local, state, and federal financing mechanisms to fund the preservation of assisted housing units

Promotion of housing opportunities for all persons

- Creation of the position of local ombudsman to further public and private sector compliance with local, state, and federal equal housing opportunity laws
- The elimination of exclusionary standards from local land use regulations and policies
- The administration of land use and development controls in a way that provides housing opportunities for all persons

* Matters related to assisted housing units must be discussed in the housing element by January 1, 1992 (Government Code Section 65583(d)).

- Equitable provision of housing-related public services regardless of race, religion, sex, marital status, ancestry, national origin, or color

Coastal zone replacement housing

- The provision of coastal zone replacement housing pursuant to Government Code Section 65590

IMPLEMENTATION AND FUNDING PROGRAMS

To meet needs and implement policies, the housing element must include a five-year schedule of current and proposed implementation measures and identify the agencies or officials responsible for implementation (Government Code Section 65583(c)).

The following examples illustrate the kinds of actions local governments may take to carry out the policies of their housing elements. These include programs that are statutorily required by housing element law, actions that are mandated by other laws, and other measures which are not mandated, but which may nevertheless address a particular program area.

Adequate sites for housing

Adequate sites for housing means sites that will be available for a variety of housing types to meet the housing needs of all household income levels. Such sites include land that will be available for rental housing, factory-built housing, mobilehomes, emergency shelters, and transitional housing. The housing element's program of implementation actions should:

- Identify sites that:
 - Are or will be appropriately zoned for various housing types, including areas zoned pursuant to Government Code Section 65913.1
 - Meet or will meet development standards appropriate for various housing types
 - Have or will have public services and facilities needed to facilitate and encourage these various housing types
- Specify measures in the administration of land use and development controls that will accommodate these various housing types. The administration of zoning for example includes the processing, approval, and enforcement of conditional use permits and zoning variances. Other measures might include:
 - Inventorying surplus public lands, including sites owned by federal, state and local agencies to identify suitable sites for the development of low and moderate income housing
 - Designating housing opportunity sites where a minimum percentage of new housing units must be affordable to low and moderate income households
 - Establishing and utilizing a municipal housing finance agency
- Describe the regulatory incentives and concessions that will be used to facilitate and encourage these various housing types. These might include:
 - A program to acquire land and sell it at a discounted price to developers of low and moderate income housing
 - Designating neighborhoods for concentrated housing rehabilitation assistance and public facility improvements
 - Offering public improvements or reduced impact fees to projects which provide low-

and moderate-income housing

- Identify the agencies and officials responsible for: 1) residential zoning and development standards, 2) public services and facilities that serve housing, 3) the administration of land use controls, and 4) regulatory incentives and concessions.
- Establish and describe a five year schedule for carrying out each of these actions relative adequate sites for housing
- Identify the means by which consistency will be achieved with other general plan elements and community goals

Assistance in the development of housing for low and moderate income households

- Identify measures which the local government intends to undertake or facilitate that will assist in the development of adequate housing to meet the needs of low and moderate-income households. Such measures could include:
 - Regulatory incentives, such as density bonuses exceeding the state requirements
 - Zoning ordinance provisions for development of second residential units on existing lots
 - Mixed-use zoning districts to encourage combining residential with other uses
 - Zoning ordinance provisions for mobilehome subdivisions and mobilehome parks
 - A linkage program that requires developers of industrial and commercial projects to contribute to the development of affordable housing (e.g., sites, units, fees) for employees and/or other low income households
 - Development agreements that guarantee the availability of below-market priced homes in the project
 - Residential design that promotes energy conservation.
 - Federally funded programs for the construction and rehabilitation of housing, such as:
 - Section 202 - Direct Loans for Elderly or Handicapped Housing
 - Section 502 - Rural Home Ownership Assistance
 - Section 515 - Rural Rental Housing Assistance
 - State funded programs for the construction and rehabilitation of housing such as:
 - Family Housing Demonstration Program (HCD)
 - Home Mortgage Purchase Program (California Housing Finance Agency) (CHFA)
 - Predevelopment Loan Program (HCD)
 - Rental Housing Construction Program (HCD)
 - Rental Housing Mortgage Loan Program (CHFA)
 - Self-Help Housing (CHFA & HCD - note: HCD's program provides technical assistance and development assistance; CHFA's program provides purchase mortgages)
 - AB 665 (1982) Bonds - renter-occupied construction
 - California Indian Assistance Program (HCD)
 - Funds authorized by the Marks-Foran Residential Rehabilitation Act and SB 99 - New Construction
- Utilize the required 20% set aside of redevelopment agency tax increment revenues to finance low and moderate income housing (Low and Moderate Income Housing Fund)
- Provide density bonuses and other incentives to developers who include units affordable to low- or very low-income households, or for senior households
- Identify of the agencies and officials responsible for administering these measures
- Establish and describe a five-year schedule for implementing assistance in the development of adequate housing

- Identify the means by which consistency will be achieved with other general plan elements and community goals

Removal of governmental constraints

- Describe a program which the local government intends to use in systematically removing governmental constraints on the maintenance, improvement, and development of housing, where appropriate and legally possible. Removal of constraints might involve:
 - Changes in the administration of land use and development controls that facilitate and encourage the maintenance, improvement, and development of housing
 - Reduction in permit requirements for projects providing low- and moderate-income housing.
 - Holding pre-application conferences and administering the local review process to streamline permit processing for developments that include low and moderate cost units.
 - Establishing a single administrative unit to coordinate processing of multiple permits for residential developments
 - Participating in the Rural Development Assistance Program (HCD) to reduce governmental constraints by obtaining water and wastewater project loans and grants
- Allow manufactured homes on permanent foundation systems to be installed on all single-family zoned lots under the same approval process as for site-built homes
- Identify the agencies and officials responsible for the removal of each of the identified governmental constraints on housing
- Establish and describe a five-year schedule for removing governmental constraints
- Identify the means by which consistency will be achieved with other general plan elements and community goals

Conservation and improvement of the condition of affordable housing stock

- Identify and describe the actions which the local government will undertake or facilitate in conserving and improving the condition of the existing affordable housing stock. Such measures could include:
 - Federal financing and subsidy programs, such as:
 - Housing and Community Development Act Block Grants (entitlement grants for cities and urban counties)
 - Section 17 - Rental Housing Rehabilitation
 - Section 312 - Rehabilitation Loans
 - State Financing and subsidy programs, such as:
 - California Energy Conservation Rehabilitation Program (formerly known as the PVEA Program)
 - California Housing Rehabilitation Program - Owner and Rental Components (HCD)
 - Deferred Payment Rehabilitation Loan Fund (HCD)
 - Home Ownership Mortgage Bond Program (CHFA)
 - Home Ownership Assistance Program (HCD)
 - Home Purchase Assistance Program (CHFA)
 - Matching Down Payment Program (CHFA)
 - Natural Disaster Assistance Program - Owner and Rental Components (HCD)
 - Nonprofit Housing Program (CHFA)
 - Rental Housing Mortgage Loan Program (CHFA)

- State Earthquake Rehabilitation Assistance Program (HCD)
- State Rental Rehabilitation Program (HCD)
- State Legalization Impact Assistance Grant Program (HCD)
- State/Local Multifamily Program (CHFA)
- Local financing and subsidy programs, such as:
 - Municipal Housing Finance Agency
 - Marks-Foran Residential Rehabilitation Act and SB 99 - New Construction
 - AB 1355 (1980) Bonds - owner-occupied construction
 - AB 3507 (1982) Bonds - Cal-First Home Buyers Program (CHFA)
 - SB 1149 (1981) Bonds - employee housing for public entities
 - Offering regulatory incentives to projects which rehabilitate existing housing
 - Enacting an ordinance regulating demolition of housing units and conversion of housing units to other uses (e.g., office, commercial)
 - Establishing an equity-sharing program to provide affordable home ownership or rental housing opportunities for low and moderate income households
 - Establishing a house sharing program to match housing suppliers with those seeking special housing accommodations (e.g., elderly)
 - Establishing a local housing authority or nonprofit development corporation to develop and operate low and moderate income housing
 - Encouraging the development of cooperative housing projects to allow low and moderate income households to enjoy the benefits of home ownership
 - Enacting an ordinance requiring replacement of housing units demolished due to public or private action
 - Changing the administration of land use and development controls
 - Rehabilitating residential hotels for very low and low income households
 - Undertaking a program to enforce building and housing codes, financed in part with proceeds from denial of state tax benefits to code violators
 - Enacting an occupancy ordinance requiring pre-sale code inspection and compliance before title to the property is transferred
- Identify the agencies and officials responsible for implementing the various actions
- Establish and describe a five-year schedule for implementing each of the actions undertaken by the local government to conserve and improve the condition of the existing affordable housing stock
- Identify the means by which consistency will be achieved with other general plan elements and community goals

Promotion of housing opportunities for all persons

- Describe actions which the local government is undertaking or intends to undertake to promote housing opportunities for all persons regardless of race, religion, sex, marital status, national origin, or color. Such actions might include:
 - Establishing a fair housing council to promote equal housing opportunities.
 - Distributing fair housing information and referring housing complaints to the local fair housing office.
 - Discouraging redlining practices in lending and insurance underwriting by withdrawing local funds from, or ceasing business relationships with, institutions that discriminate.
 - Establishing open housing programs, such as affirmative marketing, to expand housing opportunities for low income and minority households.

- Translation of permit instructions into a commonly and locally used foreign language
- Participation in state programs designed to promote housing opportunities for typically ill-housed groups, such as:
 - California Indian Assistance Program (HCD)
 - Community Development Block Grant Program (State-administered, for small cities) (HCD)
 - Emergency Shelter Program (HCD)
 - Farmworker Housing Grant Program (HCD)
 - Federal Emergency Shelter Grants Program (HCD)
 - Housing Assistance Program (State-administered Section 8) (HCD)
 - Matching Down Payment Program (CHFA)
 - Natural Disaster Assistance Program - Owner and Rental Components (HCD)
 - Nonprofit Housing Program (CHFA)
 - Office of Migrant Services (HCD - operates housing for farmworkers)
 - Permanent Housing for the Handicapped Homeless (HCD)
 - Senior Citizen Shared Housing Program (HCD)
- As part of this description, identify the agencies and officials responsible for each such action
- Establish and describe a five-year schedule of each local government activity related to the promotion of housing opportunities for all persons
- Identify the means by which consistency will be achieved with other general plan elements and community goals

Preservation of assisted housing for lower-income households*

A program to preserve for lower income households of the assisted housing developments identified pursuant to paragraph (8) of subdivision (a) of Government Code section 65583. (See the preceding "Ideas for Data and Analysis.") The program shall utilize all available federal, state, and local financing and subsidy programs identified in paragraph (8) of subdivision (a) of section 65583, except where a community has other urgent needs for which alternative funding sources are unavailable.

- Possible financing and subsidy sources might include:
 - Federal financing and subsidy sources, such as:
 - Rent Assistance Programs (e.g., conventional public housing, Section 8 vouchers)
 - State financing and subsidy sources, such as:
 - Deferred Payment Rehabilitation Loan Fund (HCD)
 - Farmworker Housing Grant Program (HCD)
 - Mobilehome Park Assistance Program (HCD)
 - Matching Down Payment Program (CHFA)
 - Natural Disaster Assistance Program - Owner and Rental Components (HCD)
 - Nonprofit Housing Program (CHFA)
 - Rental Security Deposit Guarantee Demonstration Program (HCD)
 - State Legalization Impact Assistance Program (HCD)
 - Local financing and subsidy sources, such as:
 - Tax Increment Financing through the California Community redevelopment Law

* The program for preserving assisted housing development shall be adopted in the housing element by January 1, 1992 (Government Code Section 65583(d)).

- The program may address local regulatory strategies. For example, the program might call for:
 - Regulatory concessions
 - Regulatory incentives
 - Modifications to the administration of land use and development controls that facilitate the preservation of assisted housing for lower income households
- The program may address local strategies for providing technical assistance
- The program shall identify the agencies and officials responsible for each of the actions undertaken to preserve such assisted housing
- The program shall establish and describe a five-year schedule for each of the actions involve in preserving assisted housing.
- Identify the means by which consistency will be achieved with other general plan elements and community goals.

Public participation

The local government must make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element. The program of actions for implementing the housing element shall describe these public participation efforts.

This effort could include public hearings at the planning commission and government body level, a citizens' advisory group to assist in development of the element, circulation of draft elements to housing interest groups, and special advertising and outreach measures to inform citizens of all economic segments about the process.

Technical Assistance

The following state agencies may provide information or assistance for the preparation of the housing element: Business, Transportation and Housing Agency; California Coastal Commission; General Services; Department of Housing and Community Development; California Housing Finance Agency; and Office of Planning and Research.

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Article XXXIV

PUBLIC HOUSING PROJECT LAW

Sec.

1. Approval of electors; definitions.
2. Self-executing provisions.
3. Partial validity.
4. Conflicting provisions superseded.

§ 1. Approval of electors; definitions

Section 1. No low rent housing project shall hereafter be developed, constructed, or acquired in any manner by any state public body until, a majority of the qualified electors of the city, town or county, as the case may be, in which it is proposed to develop, construct, or acquire the same, voting upon such issue, approve such project by voting in favor thereof at an election to be held for that purpose, or at any general or special election.

For the purposes of this article the term "low rent housing project" shall mean any development composed of urban or rural dwellings, apartments or other living accommodations for persons of low income, financed in whole or in part by the Federal Government or a state public body or to which the Federal Government or a state public body extends assistance by supplying all or part of the labor, by guaranteeing the payment of liens, or otherwise. For the purposes of this article only there shall be excluded from the term "low rent housing project" any such project where there shall be in existence on the effective date hereof, a contract for financial assistance between any state public body and the Federal Government in respect to such project.

For the purposes of this article only "persons of low income" shall mean persons or families who lack the amount of income which is necessary (as determined by the state public body developing, constructing, or acquiring the housing project) to enable them, without financial assistance, to live in decent, safe and sanitary dwellings, without overcrowding.

For the purposes of this article the term "state public body" shall mean this State, or any city, city and county, county, district, authority, agency, or any other subdivision or public body of this State.

For the purposes of this article the term "Federal Government" shall mean the United States of America, or any agency or instrumentality, corporate or otherwise, of the United States of America. (Added Nov. 7, 1950.)

Art. 34 § 1 PUBLIC HOUSING PROJECT

Cross References

Federal low-rent housing generally, see section 1401 et seq. of Title 42, U.S.C.A. The Public Health and Welfare.

Housing authorities law, see Health and Safety Code § 34200 et seq.

Notes of Decisions

Contracts for federal assistance 1
Development, meaning of 3
Submission to popular vote 2

Library references

Municipal Corporations ⇨279.

C.J.S. Municipal Corporations § 1060.

1. Contracts for federal assistance

Where evidence showed that contract between city housing authority and federal government with respect to low-rent housing project was in existence on effective date of this article requiring approval of majority of electors of city as prerequisite to establishment of any low-rent housing project, such provision did not operate as a bar to the project, which had not received such approval. *Housing Authority of City of Los Angeles v. Shoenkraft* (1952) 243 P.2d 628, 116 C.A.2d 813.

In mandamus proceeding to compel housing authority of county to call election to determine whether majority of electorate of city approved low rent housing project, evidence supported finding that preliminary loan contract executed by the housing authority and public housing administration before adoption of this section authorizing election was a valid contract for financial assistance. *Blodget v. Housing Authority of Kern County* (1952) 243 P.2d 897, 111 C.A.2d 45.

Under this section providing that for the purposes of article there shall be excluded from the term low rent "housing project" any project where there shall be in existence on effective date thereof a contract for financial assistance between any state public body and federal government in respect to such project, quoted term could be applied to the planning of buildings and improvements or the acquisition of property and it was not necessary that there be in

existence a tangible building or buildings on a definitely located site to authorize execution of a valid contract for financial assistance. *Id.*

Under this section providing for low rent housing project elections, an agreement, entered into before effective date of this section by which housing authority proposed to develop low rent projects with financial assistance from public housing administration, was a contract for "financial assistance", and election was not necessary in view of exception to this section providing that there should be excluded from term low rent housing project, any such project where there shall be in existence on effective date thereof, a contract for financial assistance between any state public body and federal government in respect to such project. *Id.*

2. Submission to popular vote

This section does not require county-wide election for establishment of low-rent housing project, if project is to be established in unincorporated town and county Board of Supervisors may make a finding as to existence and area of unincorporated town and is empowered to call and conduct election in accordance with applicable election laws and in absence of charter restrictions, election may be called either by means of an ordinance or resolution. 18 Ops.Att'y. Gen. 103.

3. "Development", meaning of

Under this section providing that for the purpose of this article the term low-rent housing project shall mean any "development" composed of urban or rural dwellings, etc., quoted term means any and all undertakings necessary for the planning, financing, land acquisition and construction of low rent housing project. *Blodget v. Housing Authority of Kern County* (1952) 243 P.2d 897, 111 C.A.2d 45.

§ 2. Self-executing provisions

Sec. 2. The provisions of this article shall be self-executing but legislation not in conflict herewith may be enacted to facilitate its operation. (Added Nov. 7, 1950.)

§ 3. Partial validity

Sec. 3. If any portion, section or clause of this article, or the application thereof to any person or circumstance, shall for any reason be declared unconstitutional or held invalid, the remainder of this article, or the application of such portion, section or clause to other persons or circumstances, shall not be affected thereby. (Added Nov. 7, 1950.)

§ 4. Conflicting provisions superseded

Sec. 4. The provisions of this article shall supersede all provisions of this Constitution and laws enacted thereunder in conflict therewith. (Added Nov. 7, 1950.)

Attest: EDWIN F. SMITH, Secretary.

J. P. HOGE, President.

A. R. Andrews
James J. Ayers
Clitus Barbour
Edward Barry
James N. Barton
C. J. Beerstecher
Isaac S. Belcher
Peter Bell
Marion Biggs
E. T. Blackmer
Joseph C. Brown
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West's
ANNOTATED
CALIFORNIA CODES



HEALTH AND SAFETY CODE

Sections 32000 to 37999

Volume 41A

1994

Cumulative Pocket Part

Replacing 1993 Pocket Part in back of volume

Includes laws through the 1993 Portion of the
1993-1994 Regular and First Extraordinary Sessions
and the November 2, 1993, Election

WEST PUBLISHING CO.
ST. PAUL, MINN.

Library References

Civil Rights ☞ 131.
C.J.S. Civil Rights §§ 5, 12 to 14, 16, 17.

§ 35831. Law governing; rules and regulations; guidelines and orders

The provisions of this part, including rules, regulations, guidelines, and orders issued pursuant to this part, shall not affect the validity of any prohibitions or requirements pertaining to the activity of financial institutions that arise from other provisions of law relating to discrimination in lending. Rules, regulations, guidelines, and orders issued pursuant to this part shall not be in any manner contrary to, or inconsistent with, the purposes of this part.

(Added by Stats.1977, c. 920, p. 2809, § 1.)

§ 35832. Liberal construction

The provisions of this part shall be liberally construed in order to effectuate the purposes of this part. (Added by Stats.1977, c. 1140, p. 3660, § 1.)

§ 35833. Severability

If any clause, sentence, paragraph, or part of this part or application thereof to any person, financial institution, or circumstance shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this part and the application thereof to other persons, financial institutions or circumstances but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, financial institution, or circumstance involved.

(Added by Stats.1977, c. 1140, p. 3660, § 1.)

§ 35854. Inoperative

Historical and Statutory Notes

Amendment of § 35854 by Stats.1978, c. 1185, p. 3836, § 4, failed to become operative under the terms of § 5 of that act which provided:

"Section 4 of this act shall become operative only if Assembly Bill No. 1032 and this act are chaptered

and become effective on January 1, 1979, Assembly Bill No. 1032 [A.B. No. 1032 was not chaptered.] is chaptered before this bill, and Assembly Bill No. 1032 adds Section 35854 to the Health and Safety Code."

PART * * * 6.5

VALIDATION PROCEDURES

Section

- 36000. Legislative finding and declaration.
- 36001. Legislative findings; validation of actions.
- 36002. Definitions.
- 36003. Validation actions; law governing.
- 36004. Actions for failure to gain referendum approval.

Section

- 36005. Judicial action challenging final approval of proposal or application possibly resulting in housing assistance for low income persons.

Part 6.5, added as Part 6 by Stats.1976, c. 1339, p. 6074, § 2.5, was renumbered Part 6.5 and amended by Stats.1979, c. 373, p. 1338, § 197.

§ 36000. Legislative finding and declaration .

The Legislature finds and declares that new forms of cooperation with the private sector, such as leased housing, disposition of real property acquired through redevelopment, rehabilitation assistance, replacement housing, development approvals, property tax exemptions, and relocation assistance may involve close participation with the private sector in meeting housing needs, without amounting to the development, construction, or acquisition of low-rent housing projects as contemplated in Article XXXIV of the State Constitution.

(Added by Stats.1976, c. 1339, p. 6075, § 2.5.)

Additions or changes are indicated by underline; deletions by asterisks * * *

Library References

Municipal Corporations §267.
C.J.S. Municipal Corporations § 1035.

§ 36001. Legislative findings; validation of actions

The Legislature further finds that certainty as to the validity of actions previously taken by state public bodies and local public entities, as well as the actions to be taken in the future, requires the validation of actions previously taken and the establishment of means for determining the validity of those actions to be taken in the future.

(Added by Stats.1976, c. 1339, p. 6075, § 2.5. Amended by Stats.1992, c. 596 (S.B.1928), § 1.)

§ 36002. Definitions

When used in this part:

(a) "Local public entity" means any county, city, city and county, the duly constituted governing body of an Indian reservation or rancheria, redevelopment agency organized pursuant to Part 1 (commencing with Section 33000) of this division, or housing authority organized pursuant to Part 2 (commencing with Section 34200) of this division, which is authorized to engage in or assist in the development or operation of housing for persons and families of low or moderate income. "Local public entity" also includes two or more local public entities acting jointly.

(b) "Persons of low income" means persons and families who lack the amount of income which is necessary (as determined by the local public entity) to enable them, without financial assistance, to live in decent, safe and sanitary dwellings without overcrowding.

(c) "State public body" has the same meaning as defined in Article XXXIV of the State Constitution.
(Added by Stats.1976, c. 1339, p. 6075, § 2.5.)

§ 36003. Validation actions; law governing

An action may be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure to determine the validity of the action of a state agency or local public entity in giving preliminary or final approval to a proposal or application which may result in housing assistance benefiting persons of low income without obtaining prior referendum approval pursuant to Article XXXIV of the California Constitution.

(Added by Stats.1976, c. 1339, p. 6075, § 2.5. Amended by Stats.1992, c. 596 (S.B.1928), § 2.)

Library References

Municipal Corporations §323(1), 324.
C.J.S. Municipal Corporations §§ 1132, 1137.

§ 36004. Actions for failure to gain referendum approval

No action attacking or otherwise questioning a contract of financial assistance for, or the acquisition, construction or development of, a low-rent housing project for which final approval or a legally binding commitment was given by the governing body of a state public body or local public entity prior to August 20, 1976, may be brought on the grounds of failure to obtain referendum approval pursuant to Article XXXIV of the State Constitution, except as to low-rent housing projects owned in fee by local housing authorities pursuant to the Housing Authorities Law, Chapter 1 (commencing with Section 34200) of Part 2, and farm labor centers developed after January 14, 1972, pursuant to the Farm Labor Centers Law, Part 7 (commencing with Section 36050) of this division.

(Added by Stats.1976, c. 1339, p. 6075, § 2.5.)

§ 36005. Judicial action challenging final approval of proposal or application possibly resulting in housing assistance for low income persons

No judicial action attacking or otherwise questioning the validity of the action of a state agency or a local public entity in giving final approval to a proposal or application which may result in housing assistance benefiting persons of low income without obtaining prior approval pursuant to Article XXXIV of the California Constitution shall be brought prior to the notice of funding commitment by the state agency or the adoption of a resolution or ordinance by the legislative body of the local public entity approving the proposal or application, nor may any such action be brought at any time after 60 days from

Additions or changes are indicated by underline; deletions by asterisks * * *

the date of the notice of funding commitment or the date of adoption of the ordinance or resolution approving the proposal, as appropriate.

(Added by Stats.1976, c. 1339, p. 6075, § 2.5. Amended by Stats.1992, c. 596 (S.B.1925), § 3; Stats.1993, c. 589 (A.B.2211), § 106.)

Historical and Statutory Notes

1993 Legislation

The 1993 amendment made nonsubstantive changes to maintain the code.

PART 7

FARM LABOR CENTER LAW

Section

36072. Application of housing authorities law.

§ 36051. Legislative findings and declaration

Notes of Decisions

1. In general

The transfer of ownership of a farm labor center by a housing authority to a private nonprofit organization for continued operation requires the adoption of a resolution that the need for the operation of such housing pursuant

to the provisions of the Farm Labor Center Law (§ 36050 et seq.) no longer exists; to wit, that it need not be operated by the housing authority. 66 Ops.Atty.Gen. 236, 7-26-83.

§ 36053. Governing body defined

Notes of Decisions

1. In general

The transfer of ownership of a farm labor center by a housing authority to a private nonprofit organization for continued operation requires the adoption of a resolution that the need for the operation of such housing pursuant

to the provisions of the Farm Labor Center Law, (§ 36050 et seq.) no longer exists; to wit, that it need not be operated by the housing authority. 66 Ops.Atty.Gen. 236, 7-26-83.

§ 36056. Resolution of need; acquisition, operation and disposal of farm labor centers

Notes of Decisions

1. In general

Tenants in low-rent farm labor housing projects operated by county housing authority and funded through the farmers home administration had constitutionally protected right to a pretermination due process hearing with respect to proposed rent increases. *Ponce v. Housing Authority of Tulare County* (D.C.1975) 389 F.Supp. 635.

The transfer of ownership of a farm labor center by a housing authority to a private nonprofit organization for continued operation requires the adoption of a resolution that the need for the operation of such housing pursuant

to the provisions of the Farm Labor Center Law (§ 36050 et seq.) no longer exists; to wit, that it need not be operated by the housing authority. 66 Ops.Atty.Gen. 236, 7-26-83.

The transfer of ownership of a farm labor center by a housing authority to a private nonprofit organization for continued operation requires the adoption of a resolution that the need for the operation of such housing pursuant to the provisions of the Farm Labor Center Law no longer exists; to wit, that it need not be operated by the housing authority. 66 Ops.Atty.Gen. 236, 7-26-83.

§ 36057. General powers of housing authority

Notes of Decisions

1. In general

The transfer of ownership of a farm labor center by a housing authority to a private nonprofit organization for continued operation requires the adoption of a resolution that the need for the operation of such housing pursuant

to the provisions of the Farm Labor Center Law (§ 36050 et seq.) no longer exists; to wit, that it need not be operated by the housing authority. 66 Ops.Atty.Gen. 236, 7-26-83.

Additions or changes are indicated by underline; deletions by asterisks * * *

HEALTH AND SAFETY CODE

to the effective date of the regulations

TOR

EMENTATION LAW

Application of words "develop, construct,
or acquire".
Severability of part.

9, p. 6076, § 3.
c. 1, p. 3859, § 6.

Division 31 or repealed, as follows:

	New Section
.....	41102
53	41101
37056	41102
.....	41104
7060	41105
.....	41106
.....	41109
102	41106
.....	Repealed
.....	41105, 41160
.....	41161
.....	41133
.....	41160
109	41131
.....	41135
.....	41161
.....	41169
.....	41399
37114	Repealed
.....	41160
.....	41002, 41005
.....	41001
37124	41002
.....	41001
.....	Repealed

deletions by asterisks * * *

HEALTH AND SAFETY CODE

§ 37001

Former Section	New Section	Former Section	New Section
37131	41106, 41108	37133	41126
37132	41108	37134	41128
		37135	Repealed

§ 37000. Legislative findings

The Legislature finds and declares that Article XXXIV of the State Constitution was approved by the voters for the purpose of providing a mechanism for expressing community concern regarding the development, acquisition, or construction of federally subsidized conventional public housing projects. Such developments typically were different from and inconsistent with housing developments provided by the private sector. Such differences included architecture, design, and locational standards as well as the level of amenities provided. Such developments were occupied entirely by persons of low income, and usually were not subject to ad valorem property taxes.

The Legislature finds and declares that new forms of housing assistance can provide housing for persons of low income in a manner consistent with and supportive of optimum community improvement. Such forms of housing assistance may allow for mixed income occupancy in developments representative of and competitive with similar market rate developments provided by the private sector. Such mixed income developments are frequently comparable to market rate projects in terms of architecture, design, and locational standards as well as the level of amenities provided, and may be subject to ad valorem property taxes.

Recognizing that new forms of housing assistance provide new approaches for housing persons of low income, it is the intent of the Legislature in enacting * * * Sections 37001, 37001.3, and 37001.5 to clarify ambiguities relating to the scope of the applicability of Article XXXIV which now exist. Therefore, and pursuant to Section 2 of Article XXXIV, this part is enacted in order to facilitate the operation of Article XXXIV and is consistent with the provisions of that article.

The terms "state public body" and "persons of low income" as used in this part have the same meaning as in Article XXXIV.

(Added by Stats.1976, c. 1339, p. 6076, § 3. Amended by Stats.1979, c. 692, p. 2162, § 1.)

Historical and Statutory Notes

1975 Legislation.

Former § 37000 was repealed by Stats.1975, 1st Ex.
Sess. c. 1, p. 3855, § 1.

Library References

Municipal Corporations ~~C-294~~
C.J.S. Municipal Corporations §§ 1035, 1037.

§ 37001. Low rent housing project; criteria

The term "low-rent housing project," as defined in Section 1 of Article XXXIV of the California Constitution, does not apply to any development composed of urban or rural dwellings, apartments, or other living accommodations, which meets any one of the following criteria:

(a) (1) The development is privately owned housing, receiving no ad valorem property tax exemption, other than exemptions granted pursuant to subdivision (f) or (g) of Section 214 of the Revenue and Taxation Code, not fully reimbursed to all taxing entities; and (2) not more than 49 percent of the dwellings, apartments, or other living accommodations of the development may be occupied by persons of low income.

(b) The development is privately owned housing, is not exempt from ad valorem taxation by reason of any public ownership, and is not financed with direct long-term financing from a public body.

(c) The development is intended for owner-occupancy, which may include a limited equity housing cooperative as defined in Section 50076.5, or cooperative or condominium ownership, rather than for rental-occupancy.

(d) The development consists of newly constructed, privately owned, one-to-four family dwellings not located on adjoining sites.

(e) The development consists of existing dwelling units leased by the state public body from the private owner of these dwelling units.

Additions or changes are indicated by underline; deletions by asterisks * * *

(f) The development consists of the rehabilitation, reconstruction, improvement or addition to, or replacement of, dwelling units of a previously existing low-rent housing project, or a project previously or currently occupied by lower income households, as defined in Section 50079.5.

(g) The development consists of the acquisition, rehabilitation, reconstruction, improvement, or any combination thereof, of a rental housing development which, prior to the date of the transaction to acquire, rehabilitate, reconstruct, improve, or any combination thereof, was subject to a contract for federal or state public body assistance for the purpose of providing affordable housing for low-income households and maintains, or enters into, a contract for federal or state public body assistance for the purpose of providing affordable housing for low-income households.

(Added by Stats.1976, c. 1339, p. 6076, § 3. Amended by Stats.1979, c. 692, p. 2162, § 2; Stats.1990, c. 1312 (S.B.2695), § 3; Stats.1991, c. 208 (A.B.1928), § 1; Stats.1991, c. 218 (S.B.912), § 2; Stats.1992, c. 596 (S.B.1928), § 4.)

Historical and Statutory Notes

1975 Legislation.

Former § 37001 was repealed by Stats.1975, 1st Ex. Sess. c. 1, p. 3855, § 1.

1991 Legislation

Under the provisions of § 3 of Stats.1991, c. 218 (S.B. 912), the 1991 amendments of this section by c. 208 and c.

218 were given effect and incorporated in the form set forth in § 2 of c. 218. An amendment of this section by § 1 of Stats.1991, c. 218, failed to become operative under the provisions of § 3 of that Act.

Amendment of this section by § 2 of Stats.1991, c. 208 (A.B.1928), failed to become operative under the provisions of § 3 of that Act.

Notes of Decisions

In general 2
Validity 1

1. Validity

This section is reasonable and consistent with provision of Const., Art. 34, § 1, requiring local voter approval before any low rent housing project may be developed, constructed or acquired in any manner by any state public body. *California Housing Finance Agency v. Patitucci* (1978) 148 Cal.Rptr. 875, 583 P.2d 729, 22 C.3d 171.

2. In general

Housing project, which corporation intended to construct over a public parking lot it was leased from city, which was to be occupied by senior citizens and handicapped persons who were eligible for housing assistance payments from the U.S. Department of Housing and Urban Development, and which had been approved by HUD as a

"Section 8" project, did not fall within constitutional prohibition against development, construction or acquisition of a "low rent housing project" by city until approved at an election by a majority of qualified electors of city, where project was privately owned, was not exempt from ad valorem taxation by reason of any public ownership, and was not financed with direct long term public lending. *Conway v. City of San Mateo* (1981) 179 Cal.Rptr. 561, 127 C.A.3d 330.

Privately owned, nontax-exempt housing development, in which no more than 49% of units will be available to low income persons, is not a "low rent housing project" within meaning of provision of Const., Art. 34, § 1, requiring local voter approval before any low rent housing project may be developed, constructed or acquired in any manner by any state public body. *California Housing Finance Agency v. Patitucci* (1978) 148 Cal.Rptr. 875, 583 P.2d 729, 22 C.3d 171.

§ 37001.3. Maximum income for persons of low income

The maximum income of "persons of low income," as determined by the state public body, developing, constructing, or acquiring the property, for purposes of Section 1 of Article XXXIV of the State Constitution, shall not exceed the maximum income of lower income households, as defined in Section 50079.5.

(Added by Stats.1979, c. 692, p. 2162, § 3.)

§ 37001.5. Application of words "develop, construct, or acquire"

The words "develop, construct, or acquire," as used in Section 1 of Article XXXIV of the State Constitution, shall not be interpreted to apply to activities of a state public body when such body does any of the following:

(a) Provides financing, secured by a deed of trust or other security instrument to a private owner of existing housing; or acquires a development, for which financing previously has been provided, as a temporary measure to protect its security and with an intention to change the ownership so that it will not continue to be the owner of a low-rent housing project.

(b) Acquires or makes improvements to land which is anticipated to be sold, ground leased, or otherwise transferred to a private owner prior to its development as a low-rent housing project, provided (1) the land and improvements thereon are not subject to an exemption from property taxation by reason of public ownership for more than five years following acquisition or improvement by the state public

Additions or changes are indicated by underline; deletions by asterisks * * *

HEALTH AND SAFETY CODE

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HEALTH AND SAFETY CODE

§ 37002

body, or (2) such an exemption from property taxation persists beyond the five-year period and no alternative use is designated for the land or improvements, but any property tax revenues lost by affected taxing agencies on account of the exemption of land or improvements from property taxes by reason of public ownership of the property, or any interest in the property after the five-year period, are fully reimbursed by payments in lieu of taxes following the expiration of the five-year period.

(c) Leases existing dwelling units from the private owner of such units, provided the lease or a subtenancy thereunder does not result in a decrease of property tax revenues with respect to the dwelling units leased.

(d) Provides assistance to the private owner or occupant of existing housing which enables an occupant to live in decent, safe, and sanitary housing at a rent he or she can afford to pay.

(e) Provides assistance to a low-rent housing project and monitors construction or rehabilitation of such project and compliance with conditions of such assistance to the extent of:

(1) Carrying out routine governmental functions.

(2) Performing conventional activities of a lender.

(3) Imposing constitutionally mandated or statutorily authorized conditions accepted by a grantee of assistance.

(f) Provides assistance to a development prior to its becoming a low-rent housing project without intending or expecting that the development will become a low-rent housing project, as defined.

(g) Provides financing for a low-rent housing project pursuant to Chapter 6.7 (commencing with Section 51325) of Part 3 of Division 31.

* * *

(Added by Stats.1979, c. 692, p. 2163, § 4. Amended by Stats.1982, c. 155, p. 509, § 1, eff. April 9, 1982; Stats.1982, c. 312, p. 981, § 2, eff. June 28, 1982.)

Historical and Statutory Notes

1982 Legislation.

Former § 37001.5, added by Stats.1982, c. 155, p. 510, § 2, urgency, eff. April 9, 1982, operative Jan. 1, 1984, relating to similar subject matter, was repealed by Stats. 1982, c. 312, p. 982, § 3, eff. June 28, 1982.

1987-88 Legislation

For qualification of reconstruction in the Los Angeles-Whittier Narrows

isting housing" under subd. (d) of this section, as provided by Stats.1987-88, 1st Ex.Sess., c. 4, see Historical Note under § 50671.

Cross References

Disaster relief to owners and tenants of rental housing, existing housing, see Health and Safety Code § 50671.5.

Natural disasters, rehabilitation of rental housing developments, see Health and Safety Code § 50671.6.

Library References

States ⇨114.
C.J.S. States §§ 203, 205.

Notes of Decisions

1. In general

Where a proposed apartment project under the Section 8 Housing Assistance Payments Program (24 C.F.R. § 880.101 et seq.) for new construction is to be constructed and owned by a private developer, but where the application for housing is also subject to prior review and approval or objection of local government pursuant to the

"section 213 review process" as set forth in 24 C.F.R. section 891.101, et seq., such a project is not subject to voter approval pursuant to Cal. Const. Art. 34, § 1 assuming that the private developer contracts directly with a federal agency under the section 8 program, and not with an intermediate state or local agency. 64 Ops.Atty.Gen. 622, 8-12-81.

§ 37002. Severability of part

If any provision of this part or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the part which can be given effect without the invalid provision or application, and to this end the provisions of this part are severable.

(Added by Stats.1976, c. 1339, p. 6076, § 3.)

Additions or changes are indicated by underline; deletions by asterisks * * *



Housing Element Appendices

5.7. Summary of Federal, State and County Housing Assistance Programs.

5.7.1. Federal Programs.

Low Income Housing Tax Credit

Provides lower rents for housing tenants by offering investors a federal income tax credit based on the cost of acquiring, rehabilitating or constructing low-income housing. The investor must obtain a tax credit allocation from the state. Low-income units eligible for the tax credit are those that are rent-restricted and occupied by low-income people.

Community Development Block Grant Funds

All eligible communities receive earmarked funds by formula. The program is administered by HUD and activities must address one of the three CDBG national objectives: benefit low- and moderate-income people, aid in eliminating or preventing slums or blight, or meet other community development needs of particular urgency for which no other funds are available. Allowable activities include: acquisition of real property, conversion or renovation of buildings for use as housing, housing rehabilitation social services for low income persons, removal of architectural barriers to handicapped persons, etc. (Direct use of the funds to build new housing is ineligible, but funds may be used in conjunction with other sources to build new housing.)

Section 108 Loan Guarantee Program (closely related to CDBG).

This program allows communities to pledge their future CDBG grants as repayment for loans for major capital projects. The city obtains the loan on the private market with the aid of a HUD guarantee. Like regular CDBG grants, all Section 108 activities must meet at least one of the national objectives. The program was formerly limited to CDBG entitlement cities (those of 50,000+ population) which are assured of receiving an annual CDBG grant that can be pledged as collateral for the loan. In 1990, Congress extended eligibility for Section 108 to smaller communities not eligible for direct CDBG entitlement grants. Since these communities do not have an assured source of CDBG funds to back a Section 108 loan, they must seek sponsorship from their state, which must pledge its CDBG grant on their behalf.

Section 8 - (All Section 8 for Beverly Hills is administered by Los Angeles Housing Authority)

This is the primary source for low income rent subsidies. It accommodates a number of variations: the tenant-based certificate for existing housing; the project-based certificate for existing housing; the tenant-based voucher for existing housing; the project-based certificate for moderate rehabilitation (a now dormant program); and the project-based certificate for new construction/substantial rehabilitation (confined to housing for the elderly and disabled). The Section 8 programs (certificates, vouchers, moderate rehab, and new construction/substantial rehab) all operate in much the same fashion. Low-income families apply a specified percentage of their incomes toward the cost of their housing, and the government pays landlords a subsidy to make up the difference between the family's contribution and the actual or HUD-determined rent for the dwelling unit. The required tenant contribution is 30 percent of adjusted income.

Section 202 Supportive Housing For The Elderly

Provides capital advances and operating subsidies to private nonprofits and consumer cooperatives for housing and supportive services for low-income elderly people. HUD provides aid for "supportive housing for the elderly." Aid is provided in the form of nonrepayable capital advances and long-term contracts for project rental assistance. Such assistance may be used to finance the construction, reconstruction, or moderate or substantial rehabilitation of a structure or portion of a structure, or the acquisition of a structure from the RTC, to be used as supportive housing for the elderly. Assistance may also cover the cost of real property acquisition, site improvement, conversion, demolition, relocation, and other expenses that HUD determines are necessary to expand the supply of supportive housing for the elderly.

Resolution Trust Corporation Affordable Housing Disposition Program

Makes available discounted homes seized from failed savings and loan institutions (S&Ls).

Federal Home Loan Bank (FHLB)

Assists nonprofit and community organizations and other qualified borrowers (including for-profits) develop rental and owner-occupied housing for very-low, low- and moderate-income people by providing cash subsidies and/or subsidized low-interest loans for projects financed by eligible S&Ls. The

original sources of the subsidy are the 12 Federal Home Loan Banks, which provide direct subsidies or subsidized advances to their member institutions (namely, savings and loans); in turn, these S&Ls pass the subsidy on to qualified borrowers who seek loans from member S&Ls for development of affordable rental housing. The S&Ls may provide the subsidy in the form of direct cash payments to the project, reduced interest rates on the loan, or a combination of the two. Funds must be used for the direct costs of purchasing, constructing, and/or rehabilitating housing.

HOME

Provides formula grants to state and local governments to increase the supply of rental and home ownership housing for low-income families. Funds are used to acquire, rehabilitate or construct housing and provide tenant-based rental assistance. HUD allocates funds by formula to states, local governments, and consortia of metropolitan cities, counties or other localities. Grant money leverages state and local matching contributions and private investment. Grantees may use funds to support housing activities through a variety of mechanisms, including loans, advances, equity investments, interest subsidies and other HUD-approved forms of investment. There is a statutory preference for rehabilitation of existing housing rather than new construction. Local governments which are part of an urban county for the Community Development Block Grant (CDBG) may not participate in a consortium unless the urban county joins the consortium. The HOME program also requires participating jurisdictions to use a portion of their funds to provide support to nonprofit community development organizations to help them develop affordable housing.

National Homeownership Trust Demonstration

Assists first-time home buyers by subsidizing interest rates and helping with downpayments. Home buyers would be eligible to receive aid to cover part of their downpayment on a home and a mortgage interest subsidy sufficient to bring down the effective interest rate to 6 percent. (This program was reauthorized by the 1992 Housing and Community development Act and is not always funded.)

Mortgage Insurance For Rental Housing For Low- And Moderate-Income Families [Section 221(d)(3) and Section 221(d)(4)]

Under the National Housing Act, HUD is authorized to insure mortgages that will be used to finance rental and cooperative housing for low- and moderate-income families and displaced families. HUD has charged the FHA with carrying out these sections. This program makes it easier for eligible mortgagors to

Housing Element Appendices

obtain loans at a favorable interest rate from lenders, and thereby promote the development of housing for people of modest means. Any kind of entity is eligible for mortgage insurance under this program. Insured mortgages may be used to finance construction, rehabilitation, and/or renovation of structures that contain five or more units for low- and moderate-income families and displaced families. The structures must be designed primarily for residential use. A project may be financed through a bank, state or local housing finance authority (HFA), or mortgage revenue bonds (either taxable or tax-exempt). In addition, the borrower may receive other forms of assistance such as tax credits and Section 8 rental subsidies. In addition to insuring loans for the development or rehabilitation of housing, HUD will also insure loans under Section 223(d) of the National Housing Act to cover operating losses in the first two years of operation.

Housing Opportunities For Persons With AIDS

Provides states, localities, and nonprofit organizations with the resources and incentives to devise long-term comprehensive strategies for meeting the housing needs of individuals with AIDS and their families.

Community Reinvestment Act

Requires federally chartered financial institutions to provide assistance programs in the form of favorable lending rates and practices to serve the needs of lower income neighborhoods and households.

5.7.2. State Programs.

California Housing rehabilitation Program - Owner Component (CHRP-O)

Rehabilitation of substandard homes owned and occupied by lower-income households by providing loans at three percent simple interest on the unpaid principal balance. Loans generally carry terms of five years and can be extended, providing that the household is still eligible, for additional five year periods. An exception is that loans to elderly households are repaid at time of sale or transfer. Eligible activities include rehabilitation required to bring a home into compliance with the California Health and Safety Code including improvements to ensure handicapped accessibility and general property improvements.

Housing Element Appendices

California Housing Rehabilitation Program - Rental Component (CHRP-R)

Long-term, low-interest loans for preservation and rehabilitation of unreinforced masonry multi-family units to increase the ability of the structures to withstand earthquakes and rehabilitation or acquisition and rehabilitation of substandard low-income rental housing to bring the buildings into compliance with the California Health and Safety Code. For seismic rehabilitation, 70% of the assisted units must be occupied by low-income persons and for health and safety rehabilitation, all assisted units must be occupied by low-income persons. The rent for assisted units is restricted by a regulatory agreement. Eligible activities include conversion from non-residential to residential use and applies to single- and multi-family dwellings, residential hotels, mixed residential and commercial buildings, mixed owner-occupied and rental buildings, group homes for people in need of special services, congregate homes and limited equity cooperatives.

Family Housing Demonstration Program

Provides long-term, low-interest, deferred payment loans to decrease construction costs of new affordable Community or Congregate housing. Community Housing is a development of 20 or more units on one or more sites. The housing must include a range of unit sizes. Congregate Housing is a new or rehabilitated large, multi-bedroom structure occupied by two to ten households. The facility provides common living areas. Occupants share household responsibilities such as childcare, cleaning and cooking. Units must be for very low households and the number of assisted units in each project must be at least 30% of the total number of units. On-site support services must be provided. Eligible activities include new construction, rehabilitation, or acquisition and rehabilitation costs.

Federal Emergency Shelter Grant Program

Grants to provide emergency shelter for homeless individuals and families (McKinney funds). Eligible activities include facility conversion, rehabilitation, maintenance, operating costs, rent, and provision of essential services such as transportation and legal aid.

HOME Program (See federal programs)

Rental Housing Construction Program

Provides long-term, low-interest loans, with deferred payment of principal for new construction of rental units affordable to low-income households. Both

construction and permanent financing are available. The number of assisted units in each project must be at least thirty percent of the total number of units. At least two-thirds of the assisted units in a project must be for very low-income households. The rent for assisted units is restricted by a regulatory agreement. Eligible activities include development and construction costs associated with new rental housing units for low-income households and must have five or more units on one or more sites.

Filante Bill - Property Tax Waivers For Affordable Housing

Entitles nonprofit owners of low-income housing to a waiver of property taxes on units whose tenants have qualifying incomes.

California Housing Finance Agency

Created in 1975, the California Housing Finance Agency (CHFA) provides below-market mortgage capital to developers of rental and owner housing for low and moderate income households through the sale of tax-exempt notes and bonds. Funds are also loaned directly to qualified borrowers or indirectly through private lending institutions.

5.7.3. Los Angeles County Programs.

The County administers the following federal programs for nonentitlement local governments: HOME, CDBG, Section 108 Loan Guarantee Program. At one time the County acted as an umbrella issuer of multifamily revenue bonds.

5.7.4. Beverly Hills.

General fund revenues have provided some support to organizations assisting the homeless.

Beverly Hills receives an allocation of CDBG funds which has been used to support a variety of eligible projects of benefit to low income households. The annual allocation is approximately \$250,000.

A variety of programs or techniques are available to local governments which include the authority to issue debt (notes, bonds, etc.), create a nonprofit housing development corporation, create a housing authority, tax new development to create a fund for housing etc. The City has no redevelopment agency.

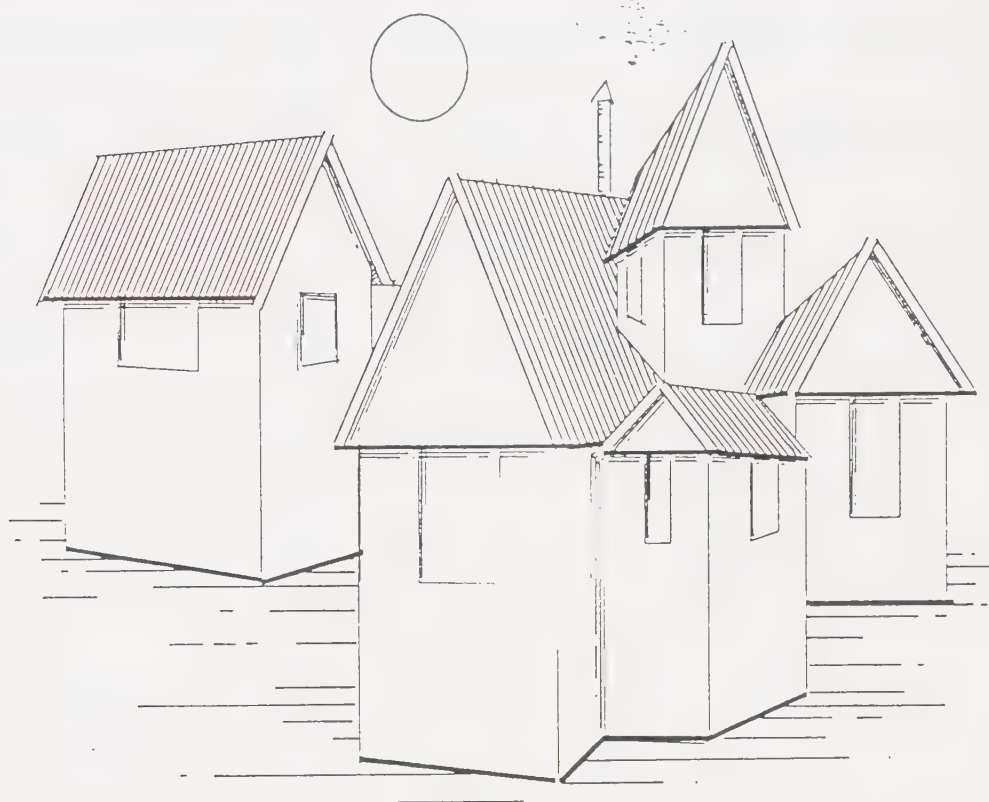
**5.8. Regional Housing Needs Assessment and
Comprehensive Housing Affordability Strategy (CHAS).**

The Southern California Association of Governments (SCAG) prepared a preliminary Regional Housing Needs Assessment based on 1990 Census data which was to be used in 1994-1999 updates of housing elements for the Southern California jurisdictions. It included existing need but did not include future need because of the suspension of the State mandate to prepare the future need estimates.

Also included in the last officially adopted Regional Housing Needs Assessment (1988) which was not based on 1990 Census information and was to be used for the 1989-1994 update to housing elements in Southern California.

As a subgrantee for federal CDBG funds of Los Angeles County's Community Development Commission, the City does not prepare a complete Comprehensive Housing Affordability Strategy document, but rather submits the required annual CHAS Tables 2 and 3B to the Commission which in turn prepares a Countywide CHAS on behalf of the unincorporated County and the subgrantee cities participating in the Urban County CDBG program. The City's most recent update for 1993-94 for Tables 2 and 3B of the CHAS are included in this Appendix. Also included are Tables 1A Part C, 1B Part A, and 1C provided by the Southern California Association of Governments (SCAG).

PRELIMINARY REGIONAL HOUSING NEEDS ASSESSMENT



DATA SUMMARY

JUNE, 1992

scag
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

Regional Housing Needs Assessment: Existing Need

Lower Income Households Paying More Than 30% of Income for Shelter Based on the Area(County) Median**, 1989

Jurisdiction		LIHHs Overpaying for Shelter								LIHHs Overpayment by Tenure and Income				
County	City	1990	LIHHs*	Total					Owners	Owners	Owners	Renters	Renters	Renters
		Households	Numbers	%	Numbers	%	Very Low*	Low*	Total	Very Low*	Low*	Total	Very Low*	Low*
Imp	Brawley	5,772	2,360	40.9	1,510	64.0	1,084	426	382	268	114	1,128	816	312
Imp	Calexico	4,744	2,298	48.4	1,592	69.3	1,055	537	333	252	82	1,258	803	455
Imp	Calipatria	723	295	40.8	170	57.6	134	36	95	73	22	75	61	14
Imp	El Centro	9,656	3,731	38.6	2,745	73.6	2,003	741	432	269	163	2,313	1,735	579
Imp	Holtville	1,398	601	43.0	375	62.4	208	168	99	51	49	276	157	119
Imp	Imperial	1,314	350	26.6	315	90.0	195	119	103	59	44	212	136	75
Imp	Westmorland	397	175	44.0	96	55.0	75	21	25	21	4	71	54	17
Imp	City Total	24,004	9,809	40.9	6,803	69.3	4,755	2,048	1,469	992	477	5,333	3,762	1,571
Imp	Unincorporated Total	8,853	3,842	43.4	1,183	30.8	926	256	345	256	88	838	670	168
Imp	County Total	32,857	13,652	41.5	7,985	58.5	5,681	2,304	1,814	1,249	565	6,171	4,432	1,739
LA	Agoura Hills	6,626	772	11.6	626	81.2	340	286	384	219	165	242	122	121
LA	Alhambra	28,362	12,493	44.0	7,988	63.9	5,497	2,491	1,349	844	505	6,639	4,653	1,986
LA	Arcadia	18,336	5,128	28.0	3,290	64.2	1,987	1,303	765	456	309	2,524	1,531	994
LA	Artesia	4,368	1,488	34.1	976	65.6	635	341	310	186	125	666	450	216
LA	Avalon	1,215	616	50.7	401	65.1	303	98	21	14	6	380	288	92
LA	Azusa	12,525	5,369	42.9	3,344	62.3	2,167	1,177	698	321	378	2,646	1,846	800
LA	Baldwin Park	16,606	6,752	40.7	4,428	65.6	2,700	1,728	1,509	686	823	2,920	2,014	906
LA	Bell	8,974	5,536	61.7	3,556	63.9	2,628	908	481	289	192	3,055	2,339	716
LA	Bellflower	22,921	9,537	41.6	5,555	62.1	4,049	1,878	738	428	311	5,188	3,621	1,567
LA	Bell Gardens	9,300	5,577	60.0	3,661	70.4	2,770	1,158	397	238	159	3,531	2,533	999
LA	Beverly Hills	14,518	3,972	27.4	3,525	76.1	1,992	1,032	415	287	128	2,609	1,705	904
LA	Bradbury	254	13	5.2	9	65.3	6	2	9	6	2	0	0	0
LA	Burbank	39,315	14,655	37.3	9,315	63.6	6,063	3,252	1,471	907	564	7,844	5,156	2,688
LA	Carson	23,786	6,501	27.3	3,389	52.1	1,940	1,449	1,724	873	851	1,665	1,068	598
LA	Cerritos	15,060	1,940	12.9	1,502	77.4	756	746	1,009	530	479	493	226	267
LA	Claremont	10,466	2,435	23.3	1,630	66.9	979	651	464	225	239	1,166	754	412
LA	Commerce	3,251	1,657	51.0	954	57.6	715	239	220	124	96	734	590	144
LA	Compton	22,330	12,496	56.0	8,264	66.1	6,093	2,170	3,014	1,907	1,107	5,250	4,187	1,063
LA	Covina	15,488	5,259	34.0	3,227	61.4	1,948	1,279	833	406	427	2,394	1,542	852
LA	Cudahy	5,265	3,250	61.7	2,131	65.6	1,573	559	106	64	42	2,026	1,509	517
LA	Culver	16,149	4,681	29.0	2,778	59.4	1,703	1,075	440	292	149	2,338	1,412	927
LA	Diamond Bar	16,886	2,045	12.1	1,598	78.2	701	897	988	472	515	610	229	381
LA	Downey	33,003	11,767	35.7	7,001	59.5	4,528	2,474	1,548	987	561	5,453	3,541	1,912
LA	Duarte	6,545	2,231	34.1	1,398	62.7	851	547	589	284	305	809	567	242
LA	El Monte	26,218	13,082	49.9	8,464	64.7	5,896	2,568	1,527	883	645	6,937	5,014	1,923
LA	El Segundo	6,835	1,642	24.0	1,115	67.9	600	514	165	95	70	949	505	444
LA	Gardena	18,078	7,320	40.5	4,194	57.3	2,663	1,531	602	321	280	3,593	2,342	1,251
LA	Glendale	68,694	27,865	40.6	19,709	70.7	13,776	5,934	1,680	1,097	583	18,030	12,679	5,351
LA	Glendora	16,343	4,077	24.9	2,466	60.5	1,464	1,002	1,032	578	454	1,435	887	548
LA	Hawaiian Gardens	3,463	1,623	46.9	1,010	62.2	683	327	224	102	121	787	581	206
LA	Hawthorne	27,158	12,228	45.0	8,313	68.0	5,527	2,787	539	321	218	7,774	5,206	2,569
LA	Hermosa Beach	9,213	1,741	18.9	1,236	71.0	696	539	214	150	64	1,022	546	475
LA	Hidden Hills	502	28	5.5	15	53.1	4	11	15	4	11	0	0	0

Overcrowded Housing Units by Tenure, 1990

Jurisdiction		Owner-Occupied		Renter-Occupied		Total-Occupied	
County	City	Overcrowded	%	Overcrowded	%	Overcrowded	%
Imp	Brawley	368	12.9	836	28.5	1,204	20.8
Imp	Calexico	705	28.0	865	39.2	1,570	33.2
Imp	Calipatria	93	21.1	112	40.1	205	28.5
Imp	El Centro	659	13.0	1,417	31.0	2,076	21.6
Imp	Holtville	138	16.7	190	32.0	328	23.1
Imp	Imperial	81	9.5	94	20.3	175	13.3
Imp	Westmorland	32	15.0	49	25.1	81	19.9
Imp	City Total	2,076	16.3	3,563	31.7	5,639	23.5
Imp	Unincorporated Total	753	12.3	662	24.6	1,415	16.0
Imp	County Total	2,829	15.0	4,225	30.3	7,054	21.5
LA	Agoura Hills	95	1.7	57	5.2	152	2.3
LA	Alhambra	1,624	14.2	4,434	26.4	6,058	21.5
LA	Arcadia	519	4.6	593	8.4	1,112	6.1
LA	Artesia	466	18.8	511	26.7	977	22.2
LA	Avalon	10	3.1	194	21.8	204	16.9
LA	Azusa	849	13.9	1,885	28.7	2,734	21.6
LA	Baldwin Park	3,118	31.2	3,110	46.9	6,228	37.5
LA	Bell	907	33.1	3,236	51.6	4,143	46.0
LA	Bellflower	659	7.3	2,565	18.5	3,224	14.1
LA	Bell Gardens	886	42.6	4,613	64.4	5,499	59.5
LA	Beverly Hills	127	2.0	349	4.3	476	3.3
LA	Bradbury	8	3.3	6	24.0	14	5.3
LA	Burbank	815	4.5	3,011	14.1	3,826	9.7
LA	Carson	3,282	17.5	1,652	33.0	4,934	20.7
LA	Cerritos	1,247	9.9	402	16.2	1,649	11.0
LA	Claremont	136	1.9	191	6.0	327	3.1
LA	Commerce	449	28.6	739	44.0	1,188	36.6
LA	Compton	3,325	26.2	4,547	47.2	7,872	35.3
LA	Covina	419	4.6	877	13.5	1,296	8.3
LA	Cudahy	303	34.2	2,556	58.4	2,859	54.3
LA	Culver	405	4.5	969	13.5	1,374	8.5
LA	Diamond Bar	764	5.3	228	9.4	992	5.9
LA	Downey	1,307	7.5	2,631	16.8	3,938	11.9
LA	Duarte	604	13.4	343	17.1	947	14.5
LA	El Monte	2,694	25.6	8,446	54.1	11,140	42.6
LA	El Segundo	57	2.1	234	5.1	291	3.9
LA	Gardena	750	8.9	2,458	25.4	3,208	17.7
LA	Glendale	1,791	6.7	10,771	25.6	12,562	18.3
LA	Glendora	480	4.0	443	10.4	923	5.7
LA	Hawaiian Gardens	471	30.7	862	46.3	1,333	39.3
LA	Hawthorne	839	12.1	4,356	21.6	5,195	19.1
LA	Hermosa Beach	55	1.5	151	2.8	206	2.2
LA	Hidden Hills	3	0.6	0	0.0	3	0.6
LA	Huntington Park	1,586	40.1	6,038	60.7	7,624	54.8
LA	Industry	11	20.0	18	35.3	29	27.4
LA	Inglewood	2,122	16.2	6,706	29.2	8,828	24.5
LA	Irwindale	29	18.5	46	40.7	75	27.8
LA	La Canada Flitridge	151	2.5	34	5.4	185	2.8
LA	La Habra Heights	29	1.4	8	9.0	37	1.8
LA	Lakewood	833	4.4	993	13.6	1,826	7.0
LA	La Mirada	607	5.8	290	13.0	897	7.0
LA	Lancaster	819	4.0	1,353	11.1	2,172	6.6
LA	La Puente	1,536	28.0	1,404	39.8	2,940	32.6
LA	La Verne	238	3.0	299	11.1	537	5.0
LA	Lawndale	336	11.6	1,493	23.6	1,829	19.8
LA	Lomita	139	3.9	547	12.8	686	8.7
LA	Long Beach	4,604	7.1	21,609	23.0	26,213	16.5
LA	Los Angeles	47,956	10.0	223,001	30.2	270,957	22.3
LA	Lynwood	2,688	39.4	3,944	53.7	6,632	46.8
LA	Manhattan Beach	67	0.8	125	2.4	192	1.4
LA	Maywood	950	47.9	2,883	63.9	3,833	59.0
LA	Monrovia	320	5.1	1,262	18.0	1,582	11.9
LA	Montebello	1,090	12.1	3,152	32.8	4,242	22.8
LA	Monterey Park	1,384	12.9	3,182	36.2	4,566	23.4
LA	Norwalk	3,201	18.7	2,764	30.0	5,965	22.6

Extremely Overcrowded Housing Units by Tenure, 1990

Jurisdiction		Owner-Occupied		Renter-Occupied		Total-Occupied	
County	City	Ext Oc	%	Ext Oc	%	Ext Oc	%
Imp	Brawley	292	10.2	395	13.5	687	11.9
Imp	Calexico	41	1.6	387	17.5	428	9.1
Imp	Calipatria	259	58.7	50	17.9	309	42.9
Imp	El Centro	56	1.1	763	16.7	819	8.5
Imp	Holtville	30	3.6	106	17.8	136	9.6
Imp	Imperial	13	1.5	46	9.9	59	4.5
Imp	Westmorland	24	11.3	20	10.3	44	10.8
Imp	City Total	715	5.6	1,767	15.7	2,482	10.3
Imp	Unincorporated Total	474	7.7	324	12.0	798	9.0
Imp	County Total	1,189	6.3	2,091	15.0	3,280	10.0
LA	Agoura Hills	24	0.4	22	2.0	46	0.7
LA	Alhambra	772	6.7	2,813	16.8	3,585	12.7
LA	Arcadia	168	1.5	316	4.5	484	2.6
LA	Artesia	251	10.1	305	15.9	556	12.7
LA	Avalon	5	1.6	133	14.9	138	11.4
LA	Azusa	394	6.5	1,188	18.1	1,582	12.5
LA	Baldwin Park	1,687	16.9	1,999	30.2	3,686	22.2
LA	Bell	551	20.1	2,243	35.8	2,794	31.0
LA	Bellflower	299	3.3	1,521	11.0	1,820	7.9
LA	Bell Gardens	533	25.6	3,252	45.4	3,785	40.9
LA	Beverly Hills	36	0.6	194	2.4	230	1.6
LA	Bradbury	0	0.0	4	16.0	4	1.5
LA	Burbank	340	1.9	1,910	9.0	2,250	5.7
LA	Carson	1,534	8.2	942	18.8	2,476	10.4
LA	Cerritos	329	2.6	174	7.0	503	3.3
LA	Claremont	26	0.4	87	2.8	113	1.1
LA	Commerce	244	15.6	497	29.6	741	22.8
LA	Compton	1,937	15.3	3,082	32.0	5,019	22.5
LA	Covina	130	1.4	467	7.2	597	3.8
LA	Cudahy	208	23.4	1,695	38.8	1,903	36.2
LA	Culver	171	1.9	572	8.0	743	4.6
LA	Diamond Bar	186	1.3	90	3.7	276	1.6
LA	Downey	548	3.2	1,496	9.5	2,044	6.2
LA	Duarte	290	6.4	182	9.1	472	7.2
LA	El Monte	1,506	14.3	5,811	37.2	7,317	28.0
LA	El Segundo	16	0.6	98	2.4	114	1.7
LA	Gardena	351	4.2	1,539	15.9	1,890	10.4
LA	Glendale	771	2.9	7,012	16.7	7,783	11.3
LA	Glendora	161	1.3	183	4.3	344	2.1
LA	Hawaiian Gardens	301	19.6	558	30.0	859	25.3
LA	Hawthorne	428	6.2	2,810	13.9	3,238	11.9
LA	Hermosa Beach	16	0.4	89	1.6	105	1.1
LA	Hidden Hills	0	0.0	0	0.0	0	0.0
LA	Huntington Park	972	24.6	4,685	47.1	5,657	40.7
LA	Industry	4	7.3	13	25.5	17	16.0
LA	Inglewood	1,309	10.0	4,665	20.3	5,974	16.5
LA	Irwindale	13	8.3	27	23.9	40	14.8
LA	La Canada Flitridge	30	0.5	15	2.4	45	0.7
LA	La Habra Heights	6	0.3	2	2.2	8	0.4
LA	Lakewood	306	1.6	492	6.7	798	3.1
LA	La Mirada	206	2.0	133	5.9	339	2.7
LA	Lancaster	251	1.2	524	4.3	775	2.4
LA	La Puente	777	14.1	903	25.6	1,680	18.6
LA	La Verne	71	0.9	138	5.1	209	1.9
LA	Lawndale	158	5.5	822	13.0	980	10.6
LA	Lomita	42	1.2	255	5.9	297	3.8
LA	Long Beach	2,504	3.8	14,804	15.8	17,308	10.9
LA	Los Angeles	25,404	5.3	165,583	22.5	190,987	15.7
LA	Lynwood	1,735	25.4	2,834	38.6	4,569	32.3
LA	Manhattan Beach	18	0.2	57	1.1	75	0.5
LA	Maywood	599	30.2	2,133	47.3	2,732	42.1
LA	Monrovia	150	2.4	743	10.6	893	6.7
LA	Montebello	462	5.1	1,891	19.7	2,353	12.6
LA	Monterey Park	574	5.4	2,080	23.7	2,654	13.6
LA	Norwalk	1,587	9.3	1,606	17.4	3,193	12.1

Vacant Units by Tenure - Surplus or Deficit, 1990

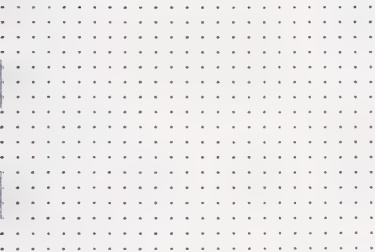
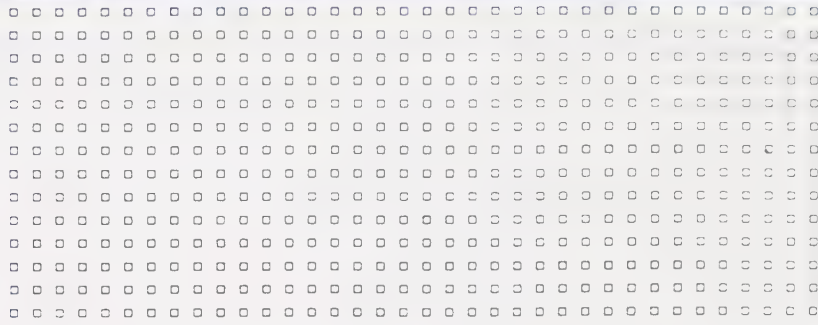
Jurisdiction		Vacant Units			Effective Vacancy Rate			Optimal Vacant Units*			(Effect. - Optimal Units)			Surplus(+) or Deficit(-)		
County	City	Rent	Sale	Total	Rent	Sale	Total	Rent	Sale	Total	Rent	Sale	Total	Rent	Sale	Total
Imp	Brawley	177	45	222	5.69	1.55	3.69	156	58	214	22	(13)	8	+	-	+
Imp	Callexico	33	9	42	1.47	0.36	0.88	112	51	163	(79)	(42)	(121)	-	-	-
Imp	Calipatria	24	2	26	7.92	0.45	3.49	15	9	24	9	(7)	2	+	-	+
Imp	El Centro	240	103	343	4.99	1.99	3.44	241	103	344	(1)	0	(1)	+	+	+
Imp	Holtville	20	13	33	3.26	1.55	2.27	31	17	48	(11)	(4)	(15)	-	-	-
Imp	Imperial	31	7	38	6.28	0.81	2.81	25	17	42	6	(10)	(4)	+	-	-
Imp	Westmorland	9	1	10	4.41	0.47	2.39	10	4	14	(1)	(3)	(4)	-	-	-
Imp	City Total	534	180	714	4.53	1.39	2.89	589	259	848	(55)	(79)	(134)	-	-	-
Imp	Unincorporated Total	204	134	338	7.05	2.14	3.69	145	125	270	59	9	68	+	+	+
Imp	County Total	738	314	1,052	5.03	1.63	3.10	734	384	1,118	4	(70)	(66)	+	-	-
LA	Agoura Hills	76	175	251	6.48	3.08	3.66	59	114	172	17	61	79	+	+	+
LA	Alhambra	731	194	925	4.18	1.66	3.17	875	233	1,108	(144)	(39)	(183)	-	-	-
LA	Arcadia	373	404	777	5.02	3.45	4.06	371	234	605	2	170	172	+	+	+
LA	Artesia	82	26	108	4.11	1.04	2.40	100	50	150	(18)	(24)	(42)	-	-	-
LA	Avalon	72	11	83	7.48	3.32	6.42	48	7	55	24	4	28	+	+	+
LA	Azusa	373	77	450	5.38	1.25	3.43	347	123	470	26	(46)	(20)	+	-	-
LA	Baldwin Park	248	123	371	3.61	1.22	2.18	344	202	546	(96)	(79)	(175)	-	-	-
LA	Bell	209	25	234	3.23	0.90	2.53	324	55	379	(115)	(30)	(145)	-	-	-
LA	Bellflower	761	166	927	5.21	1.89	3.89	730	185	915	31	(19)	12	+	-	+
LA	Bell Gardens	168	31	199	2.29	1.2	2.11	367	42	409	(199)	(11)	(210)	-	-	-
LA	Beverly Hills	538	180	718	6.17	2.7	4.70	436	131	567	102	49	151	+	+	+
LA	Bradbury	4	7	11	13.79	2.8	3.97	1	5	6	3	2	5	+	+	+
LA	Burbank	1,167	306	1,473	5.19	1.68	3.61	1,125	365	1,490	42	(59)	(17)	+	-	-
LA	Carson	235	200	435	4.49	1.05	1.79	262	380	642	(27)	(180)	(207)	-	-	-
LA	Cerritos	98	157	255	3.79	1.24	1.67	129	254	383	(31)	(97)	(128)	-	-	-
LA	Claremont	174	87	261	5.22	1.18	2.43	167	148	315	7	(61)	(54)	+	-	-
LA	Commerce	37	12	49	2.15	0.76	1.49	86	32	118	(49)	(20)	(69)	-	-	-
LA	Compton	451	189	640	4.47	1.47	2.79	504	258	762	(53)	(69)	(122)	-	-	-
LA	Covina	379	89	468	5.50	0.98	2.93	345	182	527	35	(93)	(59)	+	-	-
LA	Cudahy	96	14	110	2.15	1.55	2.05	224	18	242	(128)	(4)	(132)	-	-	-
LA	Culver	409	106	515	5.38	1.17	3.09	380	182	562	29	(76)	(47)	+	-	-
LA	Diamond Bar	183	307	490	7.04	2.08	2.82	130	296	426	53	11	64	+	+	+
LA	Downey	697	204	901	4.25	1.16	2.66	819	351	1,170	(122)	(147)	(269)	-	-	-
LA	Duarte	127	45	172	5.95	0.98	2.57	107	91	198	20	(46)	(26)	+	-	-
LA	El Monte	555	172	727	3.43	1.61	2.71	809	214	1,023	(254)	(42)	(296)	-	-	-
LA	El Segundo	276	39	315	6.40	1.41	4.44	216	56	271	60	(17)	44	+	-	+
LA	Gardena	617	107	724	5.99	1.25	3.84	515	171	686	102	(64)	38	+	-	+
LA	Glendale	1,985	561	2,546	4.51	2.07	3.58	2,202	542	2,744	(217)	19	(198)	-	+	-
LA	Glendora	234	190	424	5.21	1.55	2.53	224	245	470	10	(55)	(46)	+	-	-
LA	Hawaiian Gardens	66	31	97	3.43	1.98	2.78	96	31	128	(30)	0	(31)	-	+	-
LA	Hawthorne	1,383	161	1,544	6.41	2.27	5.38	1,079	142	1,221	304	19	323	+	+	+
LA	Hermosa Beach	261	65	326	4.59	1.71	3.43	284	76	361	(23)	(11)	(35)	-	-	-
LA	Hidden Hills	1	3	4	7.69	0.60	0.78	1	10	11	0	(7)	(7)	+	-	-
LA	Huntington Park	397	54	451	3.84	1.35	3.14	517	80	597	(120)	(26)	(146)	-	-	-
LA	Industry	6	7	13	10.53	1.79	6.19	3	1	4	3	0	3	+	+	+

Housing and Vacant Units by City

County	City	Distribution of Vacant and Available Units					Percent Distribution				Need for Vacant and Available Units, 1990			
		Vacant Units	For Sale	For Rent	Sea/Mig	Others	For Sale	For Rent	Sea/Mig	Others	Vacant S/R	Optimal Vac&Ave	Difference	Surplus or Deficit
Imp	Brawley	333	45	177	28	83	13.5	53.2	8.4	24.9	222	214	8	S
Imp	Calexico	103	9	33	21	40	8.7	32.0	20.4	38.8	42	163	(121)	D
Imp	Calipatria	47	2	24	3	18	4.3	51.1	6.4	38.3	26	24	2	S
Imp	El Centro	547	103	240	42	162	18.8	43.9	7.7	29.6	343	344	(1)	D
Imp	Holtville	55	13	20	3	19	23.6	36.4	5.5	34.5	33	48	(15)	D
Imp	Imperial	57	7	31	1	18	12.3	54.4	1.8	31.6	38	42	(4)	D
Imp	Westmorland	24	1	9	0	14	4.2	37.5	0.0	58.3	10	14	(4)	D
Imp	City Total	1,166	180	534	98	354	15.4	45.8	8.4	30.4	714	848	(134)	D
Imp	Unincorporated	2,551	134	204	1,669	544	5.3	8.0	65.4	21.3	338	270	68	S
Imp	County Total	3,717	314	738	1,767	898	8.4	19.9	47.5	24.2	1,052	1,118	(66)	D
LA	Agoura Hills	317	175	76	10	56	55.2	24.0	3.2	17.7	251	172	79	S
LA	Alhambra	1,365	194	731	28	412	14.2	53.6	2.1	30.2	925	1,108	(183)	D
LA	Arcadia	1,131	404	373	26	328	35.7	33.0	2.3	29.0	777	605	172	S
LA	Artesia	140	26	82	3	29	18.6	58.6	2.1	20.7	108	150	(42)	D
LA	Avalon	678	11	72	577	18	1.6	10.6	85.1	2.7	83	55	28	S
LA	Azusa	581	77	373	14	117	13.3	64.2	2.4	20.1	450	470	(20)	D
LA	Baldwin Park	565	123	248	6	188	21.8	43.9	1.1	33.3	371	546	(175)	D
LA	Bell	388	25	209	34	120	6.4	53.9	8.8	30.9	234	379	(145)	D
LA	Bellflower	1,212	166	761	24	259	13.7	62.8	2.1	21.4	927	915	12	S
LA	Bell Gardens	302	31	168	2	101	10.3	55.6	0.7	33.4	199	409	(210)	D
LA	Beverly Hills	1,159	180	538	100	341	15.5	46.4	8.6	29.4	718	567	151	S
LA	Bradbury	15	7	4	1	3	46.7	26.7	6.7	20.0	11	6	5	S
LA	Burbank	1,941	306	1,167	77	391	15.8	60.1	4.0	20.1	1,473	1,490	(17)	D
LA	Carson	633	200	235	17	181	31.6	37.1	2.7	28.6	435	642	(207)	D
LA	Cerritos	338	157	98	12	71	46.4	29.0	3.6	21.0	255	383	(128)	D
LA	Claremont	359	87	174	10	88	24.2	48.5	2.8	24.5	261	315	(54)	D
LA	Commerce	81	12	37	0	32	14.8	45.7	0.0	39.5	49	118	(69)	D
LA	Compton	916	189	451	9	267	20.6	49.2	1.0	29.1	640	762	(122)	D
LA	Covina	579	89	379	8	103	15.4	65.5	1.4	17.8	468	527	(59)	D
LA	Cudahy	155	14	96	5	40	9.0	61.9	3.2	25.8	110	242	(132)	D
LA	Culver	777	106	409	26	236	13.6	52.6	3.3	30.4	515	562	(47)	D
LA	Diamond Bar	763	307	183	25	248	40.2	24.0	3.3	32.5	490	426	64	S
LA	Downey	1,289	204	697	46	342	15.8	54.1	3.6	26.5	901	1,170	(269)	D
LA	Duarte	228	45	127	3	53	19.7	55.7	1.3	23.2	172	198	(26)	D
LA	El Monte	1,036	172	555	10	299	16.6	53.6	1.0	28.9	727	1,023	(296)	D
LA	El Segundo	417	39	276	11	91	9.4	66.2	2.6	21.8	315	271	44	S
LA	Gardena	911	107	617	16	171	11.7	67.7	1.8	18.8	724	686	38	S
LA	Glendale	3,510	561	1,985	139	825	16.0	56.6	4.0	23.5	2,546	2,744	(198)	D
LA	Glendora	549	190	234	9	116	34.6	42.6	1.6	21.1	424	470	(46)	D
LA	Hawaiian Gardens	123	31	66	4	22	25.2	53.7	3.3	17.9	97	128	(31)	D
LA	Hawthorne	2,077	161	1,383	9	524	7.8	66.6	0.4	25.2	1,544	1,221	323	S
LA	Hermosa Beach	517	65	261	47	144	12.6	50.5	9.1	27.9	326	361	(35)	D
LA	Hidden Hills	18	3	1	0	14	16.7	5.6	0.0	77.8	4	11	(7)	D

REVISED REGIONAL HOUSING NEEDS ASSESSMENT

DECEMBER 1988



VENTURA
COUNTY

LOS ANGELES
COUNTY

SAN BERNARDINO
COUNTY

ORANGE
COUNTY

RIVERSIDE
COUNTY

IMPERIAL
COUNTY

SCAG
SOUTHERN CALIFORNIA
ASSOCIATED
GOVERNMENTS

TABLE 1: REGIONAL HOUSING NEEDS ASSESSMENT: EXISTING NEED

LOS ANGELES COUNTY - LOWER INCOME HOUSEHOLDS PAYING MORE THAN 30% OF INCOME FOR SHELTER (OVERPAYMENT)

JURISDICTION	1988 HOUSEHOLDS	LIHHS	LIHHS OVERPAYING FOR SHELTER			LIHH OVERPAYMENT BY TENURE AND INCOME			RENTERS		
			TOTAL	VERY LOW	LOW	OWNERS TOTAL	OWNERS VERY LOW	OWNERS LOW	TOTAL	RENTERS VERY LOW	RENTERS LOW
AGOURA HILLS	6,039	839	546	230	316	342	139	203	203	91	113
ALHAMBRA	27,841	12,111	6,003	3,920	2,084	821	551	270	5,182	3,368	1,813
ARCADIA	18,556	5,066	2,642	1,604	1,038	428	277	151	2,213	1,328	885
ARTESIA	4,417	1,603	755	526	228	244	189	55	511	337	173
AVALON	1,082	532	286	191	96	20	12	8	265	179	87
AZUSA	12,374	5,296	2,419	1,577	842	377	250	127	2,042	1,327	715
BALDWIN PARK	16,236	6,852	3,501	2,321	1,180	1,221	756	465	2,280	1,565	715
BELL	8,755	4,745	2,379	1,738	641	181	138	43	2,198	1,600	598
BELLFLOWER	23,151	9,770	5,167	3,353	1,816	687	472	214	4,480	2,879	1,601
BELL GARDENS	9,210	5,452	3,078	2,254	824	320	199	122	2,758	2,055	703
BEVERLY HILL	15,360	4,762	2,760	1,714	1,046	288	183	105	2,471	1,531	940
BRADBURY	296	55	0	0	0	0	0	0	0	0	0
BURBANK	38,558	14,652	7,549	4,814	2,735	1,417	916	502	6,132	3,899	2,233
CARSON	23,831	5,886	2,713	1,648	1,065	1,266	710	556	1,447	938	509
CERRITOS	15,233	1,493	884	452	432	600	296	304	284	156	128
CLAREMONT	10,775	2,640	1,311	799	511	345	191	155	964	609	356
COMMERCE	3,172	1,450	586	446	140	126	92	34	460	354	106
COMPTON	23,195	12,131	6,473	4,930	1,544	2,080	1,459	621	4,394	3,470	924
COVINA	15,710	5,216	2,620	1,692	929	668	414	253	1,951	1,276	675
CUDHAY	5,357	3,343	1,809	1,298	509	112	83	29	1,696	1,215	481
CULVER CITY	16,556	4,702	2,208	1,287	921	349	221	128	1,859	1,067	792
DOWNEY	33,472	11,146	5,893	3,790	2,102	1,264	839	425	4,627	2,951	1,676
DUARTE	6,646	2,359	1,041	708	333	413	265	148	629	444	185
EL MONTE	26,408	13,494	7,366	5,160	2,206	1,093	704	389	6,274	4,457	1,817
EL SEGUNDO	6,795	1,753	854	538	316	100	50	50	754	487	267
GARDENA	18,200	6,625	3,208	2,058	1,151	468	286	182	2,742	1,772	970
GLENDALE	64,312	26,432	14,042	8,985	5,056	1,622	1,065	557	12,419	7,920	4,499
GLENDORA	15,789	4,010	2,156	1,380	777	786	500	286	1,370	880	490
HAWAIIAN GARD	3,343	1,591	828	590	239	155	108	47	673	481	192
HAWTHORNE	26,713	10,632	5,652	3,496	2,156	453	283	169	5,198	3,213	1,985
HERMOSA BH	9,578	2,663	1,265	740	525	159	110	49	1,105	629	476
HIDDEN HILLS	510	48	31	22	9	28	19	9	3	3	0
HUNTINGTON P	14,477	8,788	4,471	3,432	1,038	286	199	88	4,184	3,234	951
INDUSTRY	84	31	19	12	8	2	1	2	17	11	6
INGLEWOOD	37,045	17,559	9,946	6,470	3,478	1,195	732	463	8,751	5,737	3,014
IRVINDALE	238	92	32	25	7	5	5	0	26	19	7
LA CANADA FL	6,853	843	362	198	165	268	153	115	95	45	50
LA HABRA HTS	1,624	221	83	46	37	75	40	35	8	5	2
LAKEWOOD	26,340	6,322	2,985	1,869	1,117	1,248	815	433	1,737	1,053	684
LA MIRADA	12,447	2,216	1,236	773	462	619	373	246	616	401	215
LANCASTER	28,036	9,448	3,807	2,517	1,292	1,189	760	429	2,620	1,757	863
LA PUENTE	8,740	3,243	1,620	1,105	515	544	314	230	1,077	792	285
LA VERNE	9,890	2,937	1,042	641	400	245	140	105	796	500	296
LAWDALE	9,020	3,599	2,023	1,311	712	268	193	75	1,754	1,118	637
LOMITA	8,144	3,282	1,461	926	535	180	106	74	1,281	819	461

TABLE 7 - LOS ANGELES COUNTY

REVISED FUTURE HOUSING NEEDS BY INCOME CATEGORY

(25% IMPACTION AVOIDANCE ADJUSTMENT AND FURTHER ADJUSTMENT FOR HIGHLY IMPACTED Localities)						LOWER INC	HIGHER INC
JURISDICTIONS	TOTAL	VL INC	LOW INC	MOD INC	HIGH INC	(%VL & L)	(%MOD & UP)
AGOURA HILLS - R	1,650	160	177	213	1,099	20.5%	79.5%
ALHAMBRA	2,098	387	509	414	788	42.7%	57.3%
ARCADIA	805	109	137	124	436	30.5%	69.5%
ARTESIA	256	41	54	52	108	37.3%	62.7%
AVALON	218	33	52	43	90	39.3%	60.7%
AZUSA	1,535	291	356	320	568	42.2%	57.9%
BALDWIN PARK - R	627	111	151	144	221	41.7%	58.3%
BELL	315	45	69	84	117	36.1%	63.9%
BELLFLOWER	2,239	394	540	447	858	41.7%	58.3%
BELL GARDENS	128	21	30	37	41	39.5%	60.6%
BEVERLY HILLS - R	835	116	162	121	436	33.3%	66.7%
BRADBURY	28	3	4	4	18	23.9%	76.1%
BURBANK - R	2,968	505	640	584	1,239	38.6%	61.4%
CARSON	1,981	260	307	351	1,063	28.6%	71.4%
CERRITOS	1,541	126	143	206	1,067	17.4%	82.6%
CLAREMONT	802	104	123	118	456	28.4%	71.6%
COMMERCE - R	86	15	19	21	31	39.3%	60.7%
COMPTON	2,374	318	510	574	972	34.9%	65.1%
COVINA - R	976	150	191	173	461	35.0%	65.1%
CUDAHY	267	43	69	68	88	41.6%	58.3%
CULVER CITY	1,313	185	227	245	657	31.3%	68.7%
DOWNEY	1,705	271	327	327	780	35.0%	65.0%
DUARTE	995	151	214	209	421	36.7%	63.3%
EL MONTE	2,282	317	461	582	912	34.1%	65.9%
EL SEGUNDO - R	1,112	156	171	224	561	29.4%	70.6%
GARDENA	1,805	288	386	371	759	37.4%	62.6%
GLENDALE - R	5,597	982	1,308	1,059	2,249	40.9%	59.1%
GLENDALE	1,227	154	203	206	664	29.1%	70.9%
HAWAIIAN GARDENS	519	70	96	147	207	32.0%	68.3%
HAWTHORNE	4,977	913	1,073	1,023	1,968	39.9%	60.1%
HERMOSA BEACH - R	513	76	82	95	259	30.9%	69.1%
HIDDEN HILLS	46	3	5	4	34	17.1%	82.9%
HUNTINGTON PARK	1,222	191	304	314	413	40.5%	59.5%
INDUSTRY	94	17	18	30	28	38.0%	62.1%
INGLEWOOD	1,518	202	278	387	652	31.6%	68.4%
IRVINDALE	34	5	8	8	13	38.9%	61.1%
LA CANADA FLNTRG-R	266	22	29	34	181	19.3%	80.7%
LA HABRA HEIGHTS-R	110	10	12	10	78	20.3%	79.7%
LAKESWOOD	1,173	148	181	223	621	28.1%	72.0%
LA MIRADA	1,059	112	136	189	622	23.4%	76.6%
LANCASTER	11,735	1,766	2,379	2,244	5,345	35.3%	64.7%
LA PUENTE	433	78	86	90	179	37.9%	62.1%
LA VERNE	930	137	163	181	449	32.3%	67.7%
LAWDALE	1,027	178	233	204	412	40.0%	60.0%
LOMITA	661	109	157	121	273	40.3%	59.7%
LONG BEACH	12,382	1,754	2,738	2,629	5,262	36.3%	63.7%
LOS ANGELES	129,100	19,804	30,803	24,882	53,611	39.2%	60.8%
LYNWOOD	453	58	85	116	195	31.5%	68.6%

TABLE 7 - CONTINUED

TABLE 14
REVISED RHNA FUTURE NEEDS FACTORS LOS ANGELES COUNTY

JURISDICTION	FIVE YEAR 7/89-7/94 FUTURE NEED	HOUSEHOLD GROWTH 7/89-7/94	TOTAL VACANCY ADJUSTMENT	DEMOLITION ADJUSTMENT
AGOURA HILLS	1,650	1,654	-16	12
ALHAMBRA	2,100	1,151	528	422
ARCADIA - R	805	500	133	172
ARTESIA	256	98	96	62
AVALON	218	189	7	22
AZUSA	1,535	1,101	126	308
BALDWIN PARK - R	627	358	17	252
BELL	315	25	217	73
BELLFLOWER	2,241	1,668	332	242
BELL GARDENS	128	18	48	62
BEVERLY HILLS-R	835	470	213	152
BRADBURY	28	18	4	5
BURBANK - R	2,970	2,175	115	680
CARSON	1,982	1,565	351	67
CERRITOS	1,541	1,245	270	25
CLAREMONT	801	668	107	25
COMMERCE - R	86	0	0	86
COMPTON	2,374	1,328	397	648
COVINA - R	976	743	141	92
CUDAHY	267	142	75	50
CULVER CITY	1,312	762	522	28
DOWNEY	1,705	1,005	507	193
DUARTE	995	791	160	45
EL MONTE	2,282	1,527	592	163
EL SEGUNDO - R	1,112	844	15	153
GARDENA	1,806	1,294	148	263
GLENDALE - R	5,601	4,048	641	912
GLENDORA	1,227	980	162	85
HAWAIIAN GARDENS	519	367	74	78
HAWTHORNE	4,977	2,468	734	1,775
HERMOSA BEACH-R	513	161	104	248
HIDDEN HILLS	46	42	2	2
HUNTINGTON PARK	1,222	139	347	735
INDUSTRY	94	86	3	5
INGLEWOOD	1,518	705	136	677
IRWINDALE	34	15	0	18
LA CANADA FL.-R	266	198	60	8
LA HABRA HGTS-R	110	93	12	5
LAKEWOOD	1,173	748	399	25
LA MIRADA	1,058	792	263	3

CHAS Table 2

Priorities for Assistance
5-Year PlanU.S. Department of Housing and Urban Development
Office of Community Planning and DevelopmentComprehensive Housing Affordability Strategy (CHAS)
Instructions for Local Jurisdictions

Name of Jurisdiction

Five Year Period (enter fiscal yrs.)
FY: through FY:

CITY OF BEVERLY HILLS

1993

1994

A. Household Income	Renters				Owners			Homeless Persons		Non-Homeless Persons
	Elderly 1 & 2 Member Households (A)	Small, Related Households (2 to 4) (B)	Large Related Households (5 or more) (C)	All Other Households (D)	Existing Homeowners (E)	1st-Time Homebuyers		Indvds. (H)	Families (I)	Persons with Special Needs (J)
						with Children (F)	All Others (G)			
1 Very Low 0 to 30 % MFI*	1	1	3	3	1	0	0	0	0	1
2 Very Low 31 to 50% MFI*	1	1	3	3	1	0	0	0	0	1
3 Other Low 51 to 80% MFI*	1	1	3	3	1	0	0	0	0	1
B. Activity										
1 Acquisition										
2 Rehabilitation *	S	X	X	X	X					S
3 New Construction										
4 Rental Assistance										
5 Homebuyers Assistance										
6 Support Facilities & Services **	P									P

* Or, based upon HUD adjusted income limits, if applicable.

*Rehabilitation refers to the City's current Handyworker Program.

**Support Services refers to the City's current Services For Seniors Program.

CHAS Table 3B

Goals for Households & Persons
to be Assisted with HousingU.S. Department of Housing and Urban Development
Office of Community Planning and DevelopmentComprehensive Housing Affordability Strategy (CHAS)
Instructions for Local Jurisdictions

Name of Jurisdiction:

FY

CITY OF BEVERLY HILLS

1993/94

Assistance Provided by Income Group	Renters					Owners				Homeless		Non- Homeless Special Needs (L)	Total Goals (M)	Total Section 215 Goals (N)
	Elderly 1 & 2 Member Households (A)	Small Related (2 to 4) (B)	Large Related (5 or more) (C)	All Other Housenolds (D)	Total Renters (E)	Existing Homeowners (F)	1st-Time Homebuyers with Children (G)	All Others (H)	Total Homeowners (I)	Individuals (J)	Families (K)			
1. Very Low-Income (0 to 30% of MFI)*														
2. Very Low-Income (31 to 50% of MFI)*														
3. Other Low-Income (51 to 80% of MFI)*														
4. Total Low-Income (lines 1 + 2 + 3)														

* Or based on HUD adjusted income limits, if applicable.

Page 71 of the CHAS instructions, "Other Goals" states that housing activities that do not fit into the above categories may be reported separately and such report follows"

The City of Beverly Hills currently administers CDBG programs with housing components:

Handyworker Program (minor home repairs)

Services For Seniors (support services for the elderly)

The Handyworker Program serves 100% very low and low income renters and homeowners and it is estimated that 48 households will be assisted in 1993/94.

The Services For Seniors Program includes three projects:

Senior Roommate Matching (provides housing alternatives); Goal: accept 24 new clients and match 24 clients with housing.

Senior Case Management (assists seniors in remaining independent in their homes)

housing.

Goal: achieve a caseload of 60 clients

Senior Peer Counseling (personal and group counseling for seniors); Goal: continue with a caseload of 45 clients with 13-15 peer counselors

Note: At least 70% of the seniors served are low income.

WORKSHEET FOR ANTICIPATED RESOURCES

OCTOBER 1, 199²₃ - SEPTEMBER 30, 199³₄

CITY	TYPE OF FUNDING*	REHAB-ILITATION	ACQUISITION	ASSISTANCE TENANT	NEW CONSTRUCTION	ASSISTANCE HOME BUYER	PLANNING GRANTS	SUPPORT SERVICES	OPERATING COSTS
Agoura Hills	CDBG							\$10,000	
Arcadia	CDBG	\$244,045							
Artesia	CDBG	\$135,000		\$3,000				\$2,000	
Azusa	CDBG	\$50,000						\$15,000	
Azusa	State	\$150,000						\$15,000	
Azusa	Local	\$1,100,000			\$989,000				\$60,000
Bell	CDBG	\$295,000						\$119,000	
Bell	Sec 202		\$500,000	\$258,300	\$4,432,900				
Bell	Local	\$25,000			\$731,500				
Bell Gardens	CDBG	\$264,200						\$114,100	
Bell Gardens	Local							\$25,000	
Bell Gardens	Private	\$380,000							
Beverly Hills	CDBG	\$142,000						\$120,181	
Calabasas		\$0							
Claremont	CDBG	\$87,529						\$110,000	
Claremont	Local	\$900,000							
Commerce	Local	\$200,000	\$600,000	\$280,000	\$4,000,000	\$200,000			
Covina	CDBG							\$41,090	
Covina	Local	\$251,000		\$300,000				\$150,000	\$184,000
Cudahy	CDBG	\$369,000						\$63,000	
Culver City	CDBG	\$7,401						\$2,599	
Culver City	Sec 8			\$1,843,600					\$185,155
Culver City	Local	\$346,000	\$1,050,000	\$220,000		\$400,000			
Duarte	CDBG	\$145,000						\$75,000	
Duarte	Fed-MCC					\$375,000			
Duarte	Local	\$15,000				\$10,000		\$5,000	
El Segundo	CDBG							\$180,662	
Glendora	CDBG	\$169,431						\$101,120	
Glendora	State	\$190,000						\$30,000	
Glendora	Local			\$369,344		\$15,000			

"cities18" \$245,112 (Only about \$147,000 of this figure is expected to be spent during the requested period)

\$146,589

The figures for 1993-94 include all unexpended funds from previous years as well as the current year's allocation expected to be included in MOUs for the requested period, pursuant to instructions received from Sandi Hurwitz on 6/1/93. The figures used on last year's worksheet (10/92 - 9/93) reflected only that current year's allocation and did not include unexpended funds from previous years. (However, last year's worksheet should have included Operating Costs of \$27,300 which figure was apparently omitted from the final version.)

CHAS Table 1A Part C for Beverly Hills

Households	Total Households 1990 (A)	% of Total Households (B)	% Very Low Income 0 to 50% (MFI) (C)	% Other Low Income 51 to 80% (MFI) (D)	% Moderate Income 81 to 95% (MFI) (E)	% Above 95% (MFI) (F)
Households						
White (non-Hispanic)	13,242	91.2%	17.6%	7.4%	5.0%	70.0%
Black (non-Hispanic)	234	1.6%	22.6%	3.4%	13.7%	60.3%
Hispanic (all races)	418	2.9%	16.7%	15.1%	6.0%	62.2%
Native American (non-Hispanic)	54	0.4%	51.9%	0.0%	0.0%	48.1%
Asian & Pacific Islanders (non-Hispanic)	549	3.8%	8.6%	10.2%	3.6%	77.6%
All Households	14,518	100.0%	17.4%	7.6%	5.1%	69.9%

CHAS Table 1B Part A, Housing Stock Inventory, for Beverly Hills

Category	Total (A)	Vacancy Rate (B)	0 and 1 bedroom (C)	2 bedrooms (D)	3 or more bedrooms (E)
1. Total Year-Round Housing	15,278		5,069	4,235	5,974
2. Total Occupied Units	14,564		4,802	3,943	5,819
3. Renter	8,181		4,519	2,738	924
4. Owner	6,383		283	1,205	4,895
5. Total Vacant Units	714		267	292	155
6. Renter	582	6.6%	259	247	76
7. Owner	132	2.0%	8	45	79

CHAS Table 1C, Housing Assistance Needs for Beverly Hills

Household by Type Income & Housing Prob	Renters Elderly (A)	Renters Small Related (2 to 4) (B)	Renters Large Related (5 or more) (C)	Renters All Other Households (D)	Total Renters (E)	Owners Elderly (F)	All Other Owners (G)	Total Owners (H)	Total Households (I)
1. Very Low Income (0 to 50% MFI)	908	313	56	620	1,897	433	202	635	2,532
2. 0 to 30% MFI	613	164	22	296	1,095	285	130	415	1,510
3. % with any Housing Problems	80.9%	75.6%	100.0%	78.7%	79.9%	62.8%	50.0%	58.8%	74.1%
4. % Cost Burden > 30%	79.1%	75.6%	63.6%	78.7%	78.2%	62.8%	50.0%	58.8%	72.8%
5. % Cost Burden > 50%	65.4%	75.6%	63.6%	78.7%	70.5%	51.9%	50.0%	51.3%	65.2%
6. 31 to 50% MFI	295	149	34	324	802	148	72	220	1,022
7. % with any Housing Problems	90.5%	100.0%	100.0%	95.1%	94.5%	60.1%	73.6%	64.5%	88.1%
8. % Cost Burden > 30%	90.5%	100.0%	100.0%	95.1%	94.5%	60.1%	73.6%	64.5%	88.1%
9. % Cost Burden > 50%	66.1%	76.5%	73.5%	72.2%	70.8%	45.3%	66.7%	52.3%	66.8%
10. Other Low-Income (51 to 80% MFI)	223	232	28	337	820	179	109	288	1,108
11. % with any Housing Problems	91.5%	82.8%	100.0%	78.6%	84.0%	46.9%	94.5%	64.9%	79.1%
12. % Cost Burden > 30%	87.9%	82.8%	100.0%	74.5%	81.3%	46.9%	94.5%	64.9%	77.1%
13. % Cost Burden > 50%	51.6%	53.9%	0.0%	23.1%	38.8%	30.7%	74.3%	47.2%	41.0%
14. Moderate Income (81 to 95% MFI)	105	169	14	322	610	90	34	124	734
15. % with any Housing Problems	55.2%	84.6%	100.0%	50.6%	62.0%	46.7%	76.5%	54.8%	60.8%
16. % Cost Burden > 30%	48.6%	71.0%	100.0%	50.6%	57.0%	46.7%	76.5%	54.8%	56.7%
17. % Cost Burden > 50%	0.0%	16.6%	0.0%	3.1%	6.2%	15.6%	0.0%	11.3%	7.1%
18. Total Households	2,032	2,077	312	3,554	7,975	2,611	3,932	6,543	14,518
19. % with any Housing Problems	62.7%	51.6%	69.6%	39.0%	49.5%	24.6%	38.1%	32.8%	42.0%

Age of Housing Stock for Beverly Hills

Tenure	Income at Which Housing is Affordable	Total Housing Units	Pre 1940	1940-1949	1950-1959	1960-1979	1980-1990
Renter Occupied	30% MFI	322	16.1%	12.1%	14.6%	17.4%	39.8%
	50% MFI	360	41.4%	21.1%	16.9%	10.3%	10.3%
	80% MFI	1,252	36.4%	22.0%	14.7%	25.8%	1.1%
	Other	6,247	26.6%	18.7%	19.4%	31.6%	3.7%
	All Income Groups	8,181	28.4%	19.0%	18.4%	29.2%	5.0%
Owner Occupied	30% MFI	29	0.0%	0.0%	100%	0.0%	0.0%
	50% MFI	8	0.0%	0.0%	0.0%	100%	0.0%
	80% MFI	18	0.0%	50.0%	0.0%	50.0%	0.0%
	Other	6,328	46.2%	12.1%	10.7%	22.5%	8.6%
	All Income Groups	6,383	45.8%	12.2%	11.0%	22.5%	8.5%
All Tenures	30% MFI	351	14.8%	11.1%	21.7%	16.0%	36.5%
	50% MFI	368	40.5%	20.7%	16.6%	12.2%	10.1%
	80% MFI	1,270	35.9%	22.4%	14.5%	26.1%	1.1%
	Other	12,575	36.5%	15.4%	15.0%	27.0%	6.1%
	All Income Groups	14,564	36.0%	16.0%	15.2%	26.3%	6.5%

CHAS Table 1C, Housing Assistance Needs for Beverly Hills : Overcrowding

Household by Type Income & Housing Prob	Renters Elderly (A)	Renters Small Related (2 to 4) (B)	Renters Large Related (5 or more) (C)	Renters All Other Households (D)	Total Renters (E)	Owners Elderly (F)	All Other Owners (G)	Total Owners (H)	Total Households (I)
1. Very Low Income (0 to 50% MFI)	908	313	56	620	1,897	433	202	635	2,532
2. 0 to 30% MFI	613	164	22	296	1,095	285	130	415	1,510
3. % with any Housing Problems	80.9%	75.6%	100.0%	78.7%	79.9%	62.8%	50.0%	58.8%	74.1%
4. % Overcrowded	0.0%	27.4%	68.2%	0.0%	5.5%	0.0%	0.0%	0.0%	4.0%
5. 31 to 50% MFI	295	149	34	324	802	148	72	220	1,022
6. % with any Housing Problems	90.5%	100.0%	100.0%	95.1%	94.5%	60.1%	73.6%	64.5%	88.1%
7. % Overcrowded	0.0%	8.7%	55.9%	0.0%	4.0%	0.0%	5.6%	1.8%	3.5%
8. Other Low-Income (51 to 80% MFI)	223	232	28	337	820	179	109	288	1,108
9. % with any Housing Problems	91.5%	82.8%	100.0%	78.6%	84.0%	46.9%	94.5%	64.9%	79.1%
10. % Overcrowded	0.0%	7.3%	25.0%	0.0%	2.9%	0.0%	5.5%	2.1%	2.7%
11. Moderate Income (81 to 95% MFI)	105	169	14	322	610	90	34	124	734
12. % with any Housing Problems	55.2%	84.6%	100.0%	50.6%	62.0%	46.7%	76.5%	54.8%	60.8%
13. % Overcrowded	0.0%	13.6%	100.0%	0.0%	6.1%	0.0%	0.0%	0.0%	5.0%
14. Total Households	2,032	2,077	312	3,554	7,975	2,611	3,932	6,543	14,518
15. % with any Housing Problems	62.7%	51.6%	69.6%	39.0%	49.5%	24.6%	38.1%	32.8%	42.0%
16. % Overcrowded	1.0%	12.7%	44.6%	0.0%	5.3%	0.0%	2.8%	1.7%	3.7%

CHAS Table 1C, Housing Assistance Needs for Beverly Hills : Whites

Household by Type Income & Housing Prob	Renters Elderly (A)	Renters Small Related (2 to 4) (B)	Renters Large Related (5 or more) (C)	Renters All Other Households (D)	Total Renters (E)	Owners Elderly (F)	All Other Owners (G)	Total Owners (H)	Total Households (I)
1. Very Low Income (0 to 50% MFI)	888	279	56	521	1,744	406	184	590	2,334
2. 0 to 30% MFI	603	164	22	249	1,038	268	122	390	1,428
3. % with any Housing Problems	80.6%	75.6%	100.0%	84.7%	81.2%	60.4%	46.7%	56.2%	74.4%
4. 31 to 50% MFI	285	115	34	272	706	138	62	200	906
5. % with any Housing Problems	90.2%	100.0%	100.0%	97.1%	94.9%	64.5%	79.0%	69.0%	89.2%
6. Other Low-Income (51 to 80% MFI)	215	217	21	260	713	179	89	268	981
7. % with any Housing Problems	91.2%	81.6%	100.0%	81.9%	85.1%	46.9%	93.3%	62.3%	78.9%
8. Moderate Income (81 to 95% MFI)	105	136	14	284	539	90	28	118	657
9. % with any Housing Problems	55.2%	88.2%	100.0%	51.8%	62.9%	46.7%	71.4%	52.5%	61.0%
10. Total Households	1,973	1,832	277	3,076	7,158	2,527	3,557	6,084	13,242
11. % with any Housing Problems	62.4%	49.8%	67.1%	39.2%	49.4%	24.8%	37.0%	31.9%	41.4%

CHAS Table 1C, Housing Assistance Needs for Beverly Hills : Blacks

Household by Type Income & Housing Prob	Renters Elderly (A)	Renters Small Related (2 to 4) (B)	Renters Large Related (5 or more) (C)	Renters All Other Households (D)	Total Renters (E)	Owners Elderly (F)	All Other Owners (G)	Total Owners (H)	Total Households (I)
1. Very Low Income (0 to 50% MFI)	20	13	0	20	53	0	0	0	53
2. 0 to 30% MFI	10	0	0	0	10	0	0	0	10
3. % with any Housing Problems	100.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%	0.0%	100.0%
4. 31 to 50% MFI	10	13	0	20	43	0	0	0	43
5. % with any Housing Problems	100.0%	100.0%	0.0%	60.0%	81.4%	0.0%	0.0%	0.0%	81.4%
6. Other Low-Income (51 to 80% MFI)	0	0	0	8	8	0	0	0	8
7. % with any Housing Problems	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	100.0%
8. Moderate Income (81 to 95% MFI)	0	10	0	22	32	0	0	0	32
9. % with any Housing Problems	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
10. Total Households	28	65	0	123	216	6	12	18	234
11. % with any Housing Problems	71.4%	29.2%	0.0%	31.7%	36.1%	0.0%	100.0%	66.7%	38.5%

CHAS Table 1C, Housing Assistance Needs for Beverly Hills : Hispanics

Household by Type Income & Housing Prob	Renters Elderly (A)	Renters Small Related (2 to 4) (B)	Renters Large Related (5 or more) (C)	Renters All Other Households (D)	Total Renters (E)	Owners Elderly (F)	All Other Owners (G)	Total Owners (H)	Total Households (I)
1. Very Low Income (0 to 50% MFI)	0	11	0	34	45	19	6	25	70
2. 0 to 30% MFI	0	0	0	16	16	9	0	9	25
3. % with any Housing Problems	0.0%	0.0%	0.0%	100.0%	100.0%	100.0%	0.0%	100.0%	100.0%
4. 31 to 50% MFI	0	11	0	18	29	10	6	16	45
5. % with any Housing Problems	0.0%	100.0%	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	64.4%
6. Other Low-Income (51 to 80% MFI)	0	7	0	56	63	0	0	0	63
7. % with any Housing Problems	0.0%	100.0%	0.0%	55.4%	60.3%	0.0%	0.0%	0.0%	60.3%
8. Moderate Income (81 to 95% MFI)	0	18	0	7	25	0	0	0	25
9. % with any Housing Problems	0.0%	100.0%	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	100.0%
10. Total Households	15	78	6	205	304	26	88	114	418
11. % with any Housing Problems	46.7%	71.8%	100.0%	40.5%	50.0%	34.6%	23.9%	26.3%	43.5%

Housing Element Appendices

5.9. 1994-95 Residential Development Fees and Taxes.

(Fee schedule follows.)

aahe5.9



CITY OF BEVERLY HILLS
SCHEDULE OF TAXES, FEES & CHARGES
FISCAL YEAR 1994-95

Prepared by the
Department of
Finance Administration
July, 1994

TAXES

<u>CODE REFERENCE</u>	<u>TYPE OF TAX</u>	<u>1994-95 RATE</u>
3-1.201	BUSINESS LICENSE TAX:	
	A - Business Services	
	License + first employee	\$160.00
	Each additional employee	\$69.00
	B - Retail/Wholesale/Manuf.	
	Per license	\$75.00
	Per \$1,000 gross receipts over \$60,000	\$1.25
	C - Professions/Semi-professions	
	Per professional/semi-professional	\$889.00
	Per non-professional	\$178.00
	D - Used Car Sales	
	Per \$1,000 gross receipts	\$3.00
	Minimum tax	\$268.00
	E - Residential Property Rental	
	Per \$1,000 gross receipts	\$12.00
	F - Commercial Property Rental	
	Per 1,000 gross receipts	\$23.50
	G - Agencies/Lenders/Brokers	
	Per \$1,000 gross receipts	\$3.50
	H - Financial Institutions	
	Per \$1,000 gross receipts	\$0.12
	Minimum tax	\$1,000.00
3-1.211	OIL WELL LICENSE TAX:	
	Outside City:	
	1st 10,000 barrels	\$1,308.00
	Per each additional barrel	\$0.10
	Inside City:	
	1st 10,000 barrels	\$2,627.00
	Per each additional barrel	\$0.26
3-1.602	CONDOMINIUM CONVERSION TAX:	
	Per conversion for buildings having two or more dwelling units	\$4,808.00
3-1.502	DWELLING UNIT TAX:	
	Each unit	\$705.00
	Plus each bedroom	\$141.00
3-1.702	PARK & REC CONSTRUCTION TAX	
	Per square foot floor area	\$4.80
3-1.303	TRANSIENT OCCUPANCY TAX	
	Up to 30 days hotel room tax	14% of room rate

FEES AND CHARGES

<u>REFERENCE</u>	<u>TYPE OF FEE</u>	<u>COUNCIL APPROVED</u>
	Non-Resident:	
	Non-profit	
	1st hour	36.35
	Each add'l hour	15.85
	Commercial or private	
	1st hour	75.00
	Each add'l hour	19.45
	Cleaning deposit, refundable	105.00
76-R-5411	Library Card	
	Non-resident	65.00
	(Amount based on yearly library budget per capita of the City rounded to the nearest dollar).	
	Duplicate card	1.00
76-R-5411	Community Services Card, temporary (per issue)	0.50
76-R-5411	Book Borrowing, without library card:	
	Service fee	5.65
	(Twice the retail price plus the service fee will be deposited; however, all but the service fee shall be refunded if the book is returned within the period stated at the time of borrowing).	
76-R-5411 and 76-R-5480	All materials shall be returned in good condition, reasonable wear and tear excepted and any materials or their circulation constituents returned in such condition that they cannot be reloaned without repair or replacement shall be paid for either on the basis of estimated repair or retail cost, as the case may be together with any other charges due thereon.	

VIII. BUILDING AND SAFETY

5-1.206	Construction, after hours	
	1 - 5 days	83.00
	6 - 30 days (per day)	10.95

FEES AND CHARGES

<u>REFERENCE</u>	<u>TYPE OF FEE</u>	<u>COUNCIL APPROVED</u>
3-1.802	Fine Art Ornamentation In lieu payments: (1) 1/2% of total construction costs (commercial) less than \$1,000,000 (2) 1% of total construction costs (commercial) of \$1,000,000 or more (3) Maximum amount shall not exceed \$77,557 (updated annually by November Consumer Price Index)	
3-1.904	Transportation facilities and programs development	Pending study
3-1.904	Transportation facilities and programs development application	Pending study
9-1.204	Massing Model	513.00
9-1.309	Certificate of Tenancy	57.00
None	Duplicate Inspection Card	83.00
None	Temporary Certificate of Occupancy: Commercial / Multi-family Extension	247.00 41.15
	Temporary Certificate of Occupancy: SF Residential Extension	123.00 41.15
None	Application for Temporary Utility Service	247.00
None	Request for Modification of Beverly Hills Ordinances	165.00
None	Request for Use of Alternate Material or Method of Construction	165.00
None	Request for Hardship Exemption Related to Handicapped Requirements	165.00
9-4.404	Water Efficient Landscape Permit	54.00
4-4.502	Garage / Estate Sale Permit	25.60
None	Extension of Plan Review / Inspection Expiration Dates	25.60

FEES AND CHARGES

<u>REFERENCE</u>	<u>TYPE OF FEE</u>	<u>COUNCIL APPROVED</u>
None	Request for Change of Address	52.00
10-3.2593	Hillside Area Requirement Review Fees	115.00
9-1.105	Table No. 3A - Building Permit Fees	
	a) Total Valuation:	
	\$ 0 to \$500	36.55
	Each add'l \$ 100 (over the 1st \$ 500) to and including \$ 1,000	5.85
	Each add'l \$ 1,000 (over the 1st \$ 1,000) to and including \$ 20,000	23.95
	Each add'l \$ 1,000 (over the 1st \$ 20,000) to and including \$ 50,000	13.95
	Each add'l \$ 1,000 (over the 1st \$ 50,000) to and including \$100,000	10.25
	Each add'l \$ 1,000 (over the 1st \$100,000) to and including \$500,000	9.35
	Each add'l \$ 1,000 over \$500,000	8.20
	b) Reinspection fee due to incomplete work	34.30
	c) Plan Check Fee (1/2 of total permit) \$15.35 minimum	
9-1.105	Table No. 3B - Plumbing Fees	
	a) Permit issuance, each	34.30
	PLUS - For each:	
	b) Plumbing fixture or trap or set of fixtures on one trap (including water and drainage piping therefor)	9.35
	c) Gas piping system (including five (5) outlets)	11.35
	d) Additional gas piping outlet	2.15
	e) Repair or alteration of drainage or vent piping (including two (2) fixtures)	9.35
	f) Additional outlet	4.60

FEES AND CHARGES

<u>REFERENCE</u>	<u>TYPE OF FEE</u>	<u>COUNCIL APPROVED</u>
	g) Installation, alteration or repair of water piping (including five (5) outlets)	11.35
	h) Additional water piping outlet	2.15
	i) Lawn sprinkler system including three (3) control valves	13.85
	j) Control valves, in excess of three (3)	4.60
	k) Flushometer valve installation	9.35
	l) Wet or dry standpipes (per outlet)	11.35
	m) Water service	11.35
	n) Junior fire sprinkler systems, including fifteen (15) heads (major systems require a building permit)	34.30
	o) Drain inlet, roof or yard	9.35
	p) Building sewer or sewer cap	22.85
	q) Water heater or vent (including electricity)	9.35
	r) Water filter or water softener	9.35
	s) Pressure regulator	6.75
	t) Backflow protection device	11.35
	u) Dental unit	9.35
	v) Drinking fountain	9.35
	w) Floor sink/drain	9.35
	x) Slop sink, bar sink	9.35
	y) Dishwasher	9.35
	z) Kitchen sink, disposal	9.35
	aa) Sump, grease, or sand interceptor	11.35
	ab) Steam boiler, sauna, or coffee machine	11.35
	ac) Laundry tray	9.35
	ad) Washer standpipe	9.35

FEES AND CHARGES

<u>REFERENCE</u>	<u>TYPE OF FEE</u>	<u>COUNCIL APPROVED</u>
	ae) Bathtub, Roman tub	9.35
	af) Shower pan	9.35
	ag) Lavatory, urinal	9.35
	ah) Water closet, bidet	9.35
	ai) Swimming pool	
	Private	69.00
	Semi-private	92.00
	Pool repiping	34.30
	aj) Earthquake valve	34.30
	ak) Miscellaneous	11.35
	al) Reinspection due to incomplete work	34.30
	am) Plan Check Fee (1/2 of total permit) \$15.35 minimum	
9-1.105	Table No. 3C - Electrical Fees	
	a) Issuance of each permit	34.30
	PLUS	
	b) Item Number	
	Units 1-10 inclusive	11.35
	10 add'l	8.20
	c) Residential appliances:	
	0-3 HP, KW, KVA	11.35
	d) Motors, Heaters, Transformers:	
	HP-KW	

	Over Inclusive	

	0 3	11.35
	3 5	13.85
	5 20	17.10
	20 50	25.20
	50 100	55.00
	100	83.00
	e) Temporary Service	45.55

FEES AND CHARGES

<u>REFERENCE</u>	<u>TYPE OF FEE</u>	<u>COUNCIL APPROVED</u>
	f) Service, Switchboards, or Panels	
	<div style="text-align: center;">AMPS</div> <div style="text-align: center;">-----</div> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">Over -----</div> <div style="text-align: center;">Inclusive -----</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="text-align: center;">0</div> <div style="text-align: center;">200</div> <div style="text-align: right;">11.25</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="text-align: center;">200</div> <div style="text-align: center;">600</div> <div style="text-align: right;">22.85</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="text-align: center;">600</div> <div style="text-align: center;">1,200</div> <div style="text-align: right;">41.15</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="text-align: center;">1,200</div> <div></div> <div style="text-align: right;">62.00</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="text-align: center;">Over 600V</div> <div></div> <div style="text-align: right;">114.00</div> </div>	
	g) Extra inspection trip	34.30
	h) Track lights: Buss ducts, each foot	1.15
	i) Signs (each)	22.85
	j) Miscellaneous pool bonding, tents, temporary lighting	22.85
	k) Reinspection due to incomplete work	34.30
	l) Plan Check Fee (1/2 of total permit) \$15.35 minimum	
9-1.105	Table No. 3D - Mechanical Fees	
	a) Issuance of permit	34.30
	PLUS - For each:	
	b) Installation or relocation of forced air or gravity type furnace or burner, including vent and without regard to B.T.U. value	11.25
	c) Air inlet and air outlet served by any heating, ventilating, or air conditioning system	6.75
	Or for each 1,000 square feet, or fraction thereof, or conditioned area or any heating, or air conditioning system, including radiant heating, where conventional inlets or outlets are not used	25.30
	d) Repair of, alteration of, or addition to each heating appliance, refrigeration unit, comfort cooling unit, absorption, or evaporative cooling system, including the installation of controls regulated by this Code	11.35

FEES AND CHARGES

<u>REFERENCE</u>	<u>TYPE OF FEE</u>	<u>COUNCIL APPROVED</u>
e)	Installation or relocation of airconditioning compressor to and including fifteen (15) horsepower	18.35
f)	Installation or relocation of airconditioning compressor over fifteen (15) horsepower to and including fifty (50) horsepower	57.00
g)	Installation or relocation of airconditioning compressor over fifty (50) horsepower	114.00
h)	Installation or relocation of each tailor shop boiler and press	34.30
i)	Installation or relocation of each boiler or each absorption system to and including 500,000 B.T.U.'s	27.45
j)	Installation or relocation of each boiler or each absorption system over 500,000 B.T.U.'s to and including 1,750,000 B.T.U.'s	57.00
k)	Installation or relocation of each boiler or each absorption system over 1,750,000 B.T.U.'s	92.00
l)	Air handling unit to and including 3,000 cubic feet per minute, including ducts attached thereto	11.25
m)	Air handling unit over 3,000 cubic feet per minute	45.55
n)	Air handling device, without blowers, used to change air from high medium pressure to low pressure with or without coils	9.35
o)	Ventilation fan to and including 1,000 cubic feet/min.	9.35
p)	Ventilation fan over 1,000 cubic feet per minute to and including 3,000 cubic feet per minute	13.85
q)	Ventilation fan over 3,000 cubic feet per minute	22.85
r)	Installation of a commercial hood which is served by mechanical exhaust, including the ducts for such hood, to and including twenty (20) square feet (fee does not include vent fan)	27.45
s)	Installation of a commercial hood which is served by mechanical exhaust, including the ducts for such hood, over twenty (20) square feet to and including fifty (50) square feet (fee does not include vent fan)	45.55

FEES AND CHARGES

<u>REFERENCE</u>	<u>TYPE OF FEE</u>	<u>COUNCIL APPROVED</u>
	t) Installation of a commercial hood which is served by mechanical exhaust, including the ducts for such hood, over fifty (50) square feet (fee does not include vent fan)	69.00
	u) Installation of a domestic range top hood	9.35
	v) Installation of a domestic charbroiler hood	13.85
	w) Installation of an oven vent	6.75
	x) Installation or relocation of an evaporative cooler to and including 4,000 cubic feet per minute	13.85
	y) Installation or relocation of an evaporative cooler over 4,000 cubic feet per minute to and including 8,000 cubic feet per minute	22.85
	z) Installation or relocation of an evaporative cooler over 8,000 cubic feet per minute	34.40
	aa) Installation or relocation of a water tower or evaporative condenser to and including twenty-five (25) tons	27.45
	ab) Installation or relocation of a water tower or evaporative condenser over twenty-five (25) tons to and including one hundred (100) tons	69.00
	ac) Installation or relocation of a water tower or evaporative condenser over one hundred (100) tons	114.00
	ad) Installation of a refrigeration system, including compressor, to and including three (3) horsepower	27.45
	ae) Installation of a refrigeration system, including compressor, over three (3) horsepower	45.55
	af) Alteration or replacement of a refrigeration system	22.85
	ag) Incidental gas	11.35
	ah) Appliance or piece of equipment regulated by this Code but not classed in other appliance categories for which no other fee is listed in this Code	16.10
	ai) Installation of a fire or smoke damper	10.05
	aj) Reinspection due to incomplete work	34.30
	ak) Plan Check Fee (1/2 of total permit) \$15.35 minimum	

FEES AND CHARGES

<u>REFERENCE</u>	<u>TYPE OF FEE</u>	<u>COUNCIL APPROVED</u>
9-1.105	Table No. 3E - Grading Fees:	
	0 to 100 cubic yards	114.00
	Each add'l 100 cubic yards, or fraction thereof, over the first 100 cubic yards, to and including 1,000 cubic yards	80.00
	Each add'l 1,000 cubic yards, or fraction thereof, over the first 1,000 cubic yards, to and including 10,000 cubic yards	103.00
	Each add'l 10,000 cubic yards, or fraction thereof, over the first 10,000 cubic yards, to and including 100,000 cubic yards	274.00
	Each add'l 100,000 cubic yards, or fraction thereof, over the first 100,000 cubic yards	1,368.00
	Plan Check Fee (1/2 of total permit) \$15.35 minimum	
9-1.105	Table No. 3F - Sandblasting Fees:	
	For any job:	
	a) lasting not more than three (3) working days	34.30
	b) lasting more than three (3) working days but not more than twelve (12) working days	45.65
	c) lasting more than twelve (12) working days	57.00
9-1.105	Table No. 3G - Solar Energy Fees:	
	a) Issuance of permit	34.30
	PLUS	
	b) Collectors (including related piping and regulating devices), each 1,000 square feet or fraction thereof	11.35
	c) Storage tanks (including regulated piping and regulating devices):	
	Each storage tank	11.35
	Each 1,000 gallons or fraction thereof in excess of 1,000	7.00
	d) For rock storage:	
	Each storage bin	11.35
	Each 1,000 cubic feet or fraction thereof in excess of 1,000 cubic feet of storage	11.35

FEES AND CHARGES

<u>REFERENCE</u>	<u>TYPE OF FEE</u>	<u>COUNCIL APPROVED</u>
	e) For each appliance or piece of equipment regulated by this Code for which no fee is listed	9.35
	Plan Check Fee (1/2 of total permit) \$15.35 minimum	
None (Temporary Ordinance)	Tree Removal Fees:	
	a) Issuance of permit	34.30
	b) Reinspection due to incomplete work	34.30
	c) Investigation fee: work without a permit (equal to permit fee)	
9-1.105	Table No. 3H - OTHER PLAN REVIEW AND INSPECTION FEES	
	Special inspection outside of regular work hours: Per hour (two hour minimum charge)	53.00
	Plan review for which no formal application has been made: Per hour	53.00
	Additional plan review required by changes, additions or revisions to plans (per hour)	53.00
	Investigation fee: work without a permit (equal to permit fee)	
None	Energy Plan Review (10% of permit fee)	
10-4.308	Signs:	
	Permits	
	No sign permit shall become valid until the applicant has paid to the City Building Official a permit fee as follows:	
	All signs except those indicated below:	
	Per square foot	3.40
	Minimum	34.50
	Real estate signs:	
	Not over 150 square inches	11.35
	Not over 500 square inches	17.30
	Not over 12 square feet	22.85
	Construction signs:	
	Not over 10 square feet	34.30
	Not over 20 square feet	57.00
	Over 20 square feet	115.00

FEES AND CHARGES

<u>REFERENCE</u>	<u>TYPE OF FEE</u>	<u>COUNCIL APPROVED</u>
	Plan Check Fee (1/2 of total permit) \$15.35 minimum	
None	Plan Maintenance Fee (10% of permit fee) :	
	Building Plans:	
	Minimum	16.50
	Maximum	247.00
	All Other Plans:	
	Minimum	5.55
	Maximum	55.00
	Reproduction Request	13.85
None	Concept Review	
	Single Family	115.00
	Multi-Family	144.00
	Commercial	201.00
	Rent Stabilization	
2-2.501	Hardship Adjustment, petitions for hearings:	
	Filing fee for each unit	37.35
	Petition for Capital Expenditure	15.35
4-5.511	Eviction, notices of:	
	Filing fee for buildings of ten units or less	145.00
	Additional fee for each additional unit in excess of ten	15.35
None	Request for change of Contractor	52.00
None	Plan Reproduction (plus material costs)	12.50
None	Minor Concept Review	26.00

FEES AND CHARGES

<u>REFERENCE</u>	<u>TYPE OF FEE</u>	<u>COUNCIL APPROVED</u>
<u>IX. PLANNING</u>		
	Tentative Maps :	
10-2.203	With other planning application *	933.00
10-2.507	Without other planning application *	3,009.00
10-2.1009	Vesting Tentative Maps	1,315.00
10-2.206	Request for time extensions	280.00
	* NOTE: An additional \$48 will be charged for tentative maps representing condominium conversions.	
10-2.803	Boundary Line Adjustments	964.00
None	Certificate of Compliance	895.00
10-2.307	Street Name Change	2,256.00
10-3.2804	Variance	2,367.00
10-3.2819.1	Variance Time Extension Request	280.00
10-3.2781	Minor Accommodation	
	Commission/Committee Case	1,381.00
	Staff-Level Case	625.00
10-3.2403	Conditional Use Permit	
	Major case	6,357.00
	Minor case	1,315.00
10-3.2905	Zone Change	6,513.00
None	General Plan Amendment:	
	With a Zone Change	1,208.00
	Without a Zone Change	4,329.00
10-6.01	Master Plan of Street Amendment	4,329.00
10-3.2774	Single-Family Development Review	1,315.00
	Tree Removal Review	165.00
	R-1/Hillside Conformity Review	165.00
10-3.2581	Hillside Development Review	2,031.00

FEES AND CHARGES

<u>REFERENCE</u>	<u>TYPE OF FEE</u>	<u>COUNCIL APPROVED</u>
10-3.2621	Trousdale Development Review	1,315.00
10-3.2609	Game Court Fence Review	2,031.00
10-3.2746	Game Court Location Review	2,695.00
10-3.405	Contiguous Lot Estate / Accessory Structure Review	5,483.00
None	Conformity Review	165.00
None	Landscape Plan Review	547.00
None	Landscape Site Review	713.00
10-3.2570	Development Plan Review	
	Commission-level case	1,719.00
	Staff-level case	664.00
	Open air dining case	535.00
10-3.1841	Planned Development Review	5,834.00
10-3.2576, 10-3.1844	Requests for time extensions (DPR/PD)	395.00
10-3.3502	Open Air Dining Plan Review	
	City Council Review	351.00
	Staff Administrative Review	106.00
10-3.3502	Sidewalk Lease Fee (per square foot per month)	0.50
None	Categorical Exemption	32.75
None	Environmental Assessment (Negative Declaration)	2,031.00
10-2.901	Environmental Impact Report *	15,891.00
	* NOTE: The cost of the consultant services will be billed to the applicant, plus 12% of the consultant's fee, for Contract Administration.	
	Recirculation of a Negative Declaration	360.00
10-3.3016	Architectural Review:	
	Commission-level review	412.00
	Staff-level review	199.00
	Conformity review	44.00

FEES AND CHARGES

<u>REFERENCE</u>	<u>TYPE OF FEE</u>	<u>COUNCIL APPROVED</u>
None	Annexation Costs (Costs to be recovered as a condition of annexation)	
10-3.2730	Joint Daytime / Nighttime Parking	2,081.00
10-3.2734	Parking Covenant Review	933.00
10-3.3308(B)	In-lieu Parking Construction Fee (per space) *	17,837.00
	* NOTE: Increase of 2.1% based on Engineering News Record Construction Cost Index for Los Angeles Area.	
10-3.3308(B)	In- lieu Parking Restaurant Expansion Fee (per space)	6,209.00
92-0-2153	In-lieu Parking Seismic Upgrade Incentive (per space) *	
	Tier II	5,361.00
	Tier III	10,108.00
	* NOTE: Increase of 2.1% based on Engineering News Record Construction Cost Index for Los Angeles Area.	
Various	Public Notices	
	Newspaper	350.00
	Mail Public Notices As Required (each)	0.65
Various	Nonconforming Satellite Dish Antenna Review	309.00
None	Planning Decision Amendment (30% of pertinent application charge)	
None	Conceptual Review	329.00
None	Planning Commission Subscriptions	
	Agenda (annual)	22.00
	Minutes (annual)	38.40
None	Architectural Commission Subscriptions	
	Agenda (annual)	18.45
	Minutes (annual)	48.10
	General Plan	17.00

FEES AND CHARGES

<u>REFERENCE</u>	<u>TYPE OF FEE</u>	<u>COUNCIL APPROVED</u>
<u>IX. ENGINEERING</u>		
8-2	Permits:	
	Class "A" - Street use	96.00
	Class "A" - Special Events	240.00
	Class "B" - Excavation (Base fee)	144.00
	Plus fee per square foot of trench	1.05
	Class "C" - Utility (Base fee)	231.00
	Plus fee per square foot of trench	1.05
	Class "D" - Heavy hauling (Base fee)	139.00
	Plus fee per cubic yard of heavy trucking	0.55
None	Barricades:	
	Construction fence (per ft/mo) (Minimum charge - \$100)	0.85
None	Signs:	
	"No Parking" (plus any applicable meter fees)*	3.45 *
8-3.05	City Council - Applications:	
	Permits (requiring City Council approval)	635.00
	Resolutions	839.00
10-2.402	Maps, Final Subdivision	
	Processing	1,606.00
	An additional \$128 + \$41 per unit will be charged for maps representing condominium conversions.	
	Request for extension	266.00
None	Engineering Plan Check	
	Plan check minimum or 1.6% of construction cost over \$76,750	1,228.00
None	Engineering Project Inspection	
	Inspection minimum or 2.0% of construction cost over \$24,550	491.00
None	Concept Reviews	
	Single Family	307.00
	Multi-Family	614.00
	Commercial	1,970.00

FEES AND CHARGES

<u>REFERENCE</u>	<u>TYPE OF FEE</u>	<u>COUNCIL APPROVED</u>
10-5.202	Mining and extraction fees:	
	Water development:	
	Application fee	2,409.00
10-5.308	Exploratory areas:	
	Application for approval of boundary fee	22,816.00
10-5.313	Drilling:	
	Relocation permit	4,563.00
10-5.314	Variable Directional	
	Application fee	4,563.00
	Permit fee	4,563.00
	Supplemental fee	4,563.00
	Permit to pass fee	4,563.00
	Development of oil, gas and minerals:	
10-5.315	Application fee	4,563.00
10-5.319	Permit fee	4,563.00
10-5.317	Extension of time application for oil well drilling	1,141.00
8-3	Surface encroachments:	
	Installation of planter boxes on public right-of-ways	205.00
71-R-4269	Sub-surface use of City right-of-way (per foot)	6.65
	Penalty fee for each tie-back rod left in place	655.00
	Penalty fee for each supporting structure left in place	1,929.00
7-2.04	Subsurface space use	522.00
71-R-4269	Guarantee deposit for removal of tie-back rods and supporting structure	6,583.00
None	Underground Service Alert Notices	19.45
	Street Closures:	
None	Full street closure (per hour)	1,443.00
None	Partial street closure (per hour)	353.00

Exemptions: Street closures related to events sponsored by the Beverly Hills Chamber of Commerce or the Beverly Hills Unified School District with the approval of the City Council.

FEES AND CHARGES

<u>REFERENCE</u>	<u>TYPE OF FEE</u>	<u>COUNCIL APPROVED</u>
	6 inches	133.00
	8 inches	232.00
	10 inches	367.00
88-R-7759	Service Connection Charge:	
	Type	Size of Service
	Inside City -	
	General	1" and smaller 497.00
		1-1/2" 1,003.00
		2" 1,433.00
		3" 2,138.00
		4" 2,880.00
		6" 3,616.00
		8" 4,276.00
	Fire	4" 2,880.00
		6" 3,616.00
		8" 4,276.00
		10" 5,018.00
	Outside City -	
	General	1" and smaller 630.00
		1-1/2" 1,264.00
		2" 1,934.00
		3" 3,013.00
		4" 4,133.00
		6" 5,350.00
		8" 6,624.00
	Fire	4" 4,322.00
		6" 5,754.00
		8" 7,089.00
		10" 9,964.00
88-R-7759	Service Installation Deposit:	
	(Actual costs will be billed to customer and will be applied against deposit)	
	Size of Service:	
	1 inch	720.00
	1-1/2 inches	1,530.00
	2 inches	1,640.00
	3 inches	5,000.00
	4 inches	5,500.00
	6 inches	7,100.00
	8 inches	8,300.00

5.10. Glossary of Terms.

Acre: 43,560 square feet.

Density: A measure of the relative concentration of dwelling units, generally expressed as dwelling units per acre (DU/AC).

Household: A "household" as used in the Census is simply all the occupants of a single housing unit, regardless of their number or relationship. A "family" or "family household" is one in which two or more persons of the household are related to each other by blood or marriage. A family household may or may not have members who are not related to each other by blood or marriage. A "non family household" is one which consists of a single person, or which consists of two or more members who are not related to each other by blood or marriage.

Income Levels: Income categories are defined with respect to the area median income (County) and are adjusted for household size. Although there are exceptions depending on the application, income limits are generally defined as follows:

Very Low Income: Household income is no more than 50 percent of area median income.

Low or Lower Income: Household income is no more than 80 percent of the area median income (i.e., a combination of very low income and those households where income is between 50 percent and 80 percent of area median). Alternately, when a distinction between Very Low and Low Income is necessary, Low Income refers only to household income falling in the range of 50-80 percent of area median.

Moderate or Medium Income: Household income is between 80 and 120 percent of the area median income.

Above Moderate or High Income: Household income is above 120 percent of the area median income.

INCOME THRESHOLDS*
(Percentages of Area Median Income)

Persons in Household	Very Low (0-50%)	Low or Lower (0-80%)	Medium (80-120%)	High (120%+)
1	\$16,900	\$27,050	\$40,550	\$40,550+
2	\$19,300	\$30,900	\$46,350	\$46,350+
3	\$21,750	\$34,800	\$52,150	\$52,150+
4	\$24,150	\$38,650	\$57,950	\$57,950+
5	\$26,100	\$41,750	\$62,600	\$62,600+

* In effect as of May 1993; subject to periodic update.

Median: A value lying at the midpoint of all other values in a group, where half the values are higher and half are lower than the median value.

Mean: The arithmetic average of all the values in a group.

Poverty Income Level: Defined by the federal government based on a definition originated by the Social Security Administration in 1964 and subsequently modified and prescribed as the standard to be used by federal agencies for statistical purposes. The thresholds are updated annually. The income cutoffs used by the Census Bureau to determine poverty status include a set of 48 thresholds arranged in a two-dimensional matrix consisting of family size and cross-classified by presence and number of family members under 18 years old. Unrelated individuals and two-person families were further differentiated by whether the householder was under or over 65 years of age. See p. 39 of text for thresholds.

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